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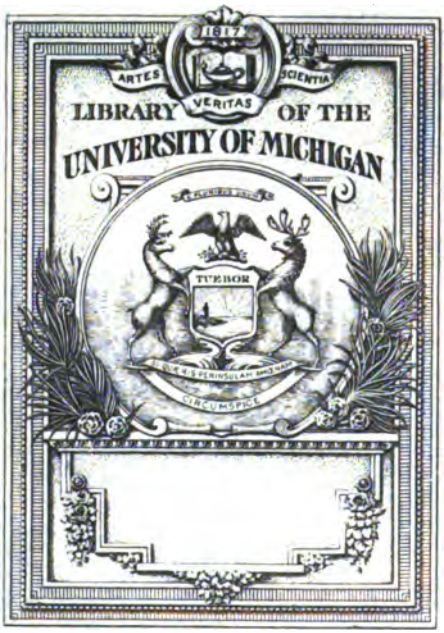

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

THE BEST GOVERNMENT IS THAT WHICH GOVERNS LEAST.

VOLUME ONE,

CONTAINING THE POLITICAL AND LITERARY PORTIONS OF THE NUMBERS PUBLISHED IN OCTOBER, 1837, AND JANUARY, FEBRUARY AND MARCH, 1838.

WASHINGTON, D. C.

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18, July

THE

UNITED STATES MAGAZINE

AND

DEMOCRATIC REVIEW.

Vol. 1. No. 1.

INTRODUCTION.

THE DEMOCRATIC PRINCIPLE—THE IMPORTANCE OF ITS ASSERTION, AND APPLICATION TO OUR POLITICAL SYSTEM AND LITERATURE.

THE character and design of the work of which the first number is here offered to the public, are intended to be shadowed forth in its name, the "United States Magazine and *Democratic Review*." It has had its origin in a deep conviction of the necessity of such a work, at the present critical stage of our national progress, for the advocacy of that high and holy DEMOCRATIC PRINCIPLE which was designed to be the fundamental element of the new social and political system created by the 'American experiment;' for the vindication of that principle from the charges daily brought against it, of responsibility for every evil result growing out, in truth, of adventitious circumstances, and the adverse elements unhappily combined with it in our institutions; for its purification from those corruptions and those hostile influences, by which we see its beneficent and glorious tendencies, to no slight extent, perverted and paralysed; for the illustration of truth, which we see perpetually darkened and confused by the arts of wily error; for the protection of those great interests, not alone of our country, but of humanity, looking forward through countless ages of the future, which we believe to be vitally committed with the cause of American Democracy. This is, in broad terms, the main motive in which this undertaking has had its origin: this is the object towards which, in all its departments, more or less directly, its efforts will tend.

There is a great deal of mutual misunderstanding between our parties; but in truth, there does not exist in the people, with reference to its great masses, that irreconcileable hostility of opinions and leading principles which would be the natural inference from the violence of the party warfare in which we are perpetually engaged. There does exist, it is true, an essential opposition of principles, proceeding from opposite points of departure, between

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the respective political creeds or systems of our two great parties, the Democratic and the Whig;* but we feel well assured that the great body of the latter party, those who supply their leaders and leading interests with their votes, do not rightly understand the questions at issue, in their true popular bearings; and that, if these could but be exhibited in their proper lights, to their sound minds and honest hearts, they would soon be found ranged, by the hundreds of thousands, under the broad and bright folds of our democratic banner.

So many false ideas have insensibly attached themselves to the term 'democracy,' as connected with our party politics, that we deem it necessary here, at the outset, to make a full and free profession of the cardinal principles of political faith on which we take our stand; principles to which we are devoted with an unwavering force of conviction and earnestness of enthusiasm which, ever since they were first presented to our minds, have constantly grown and strengthened by contemplation of them, and of the incalculable capabilities of social improvement of which they contain the germs.

We believe, then, in the principle of *democratic republicanism*, in its strongest and purest sense. We have an abiding confidence in the virtue, intelligence, and full capacity for self-government, of the great mass of our people—our industrious, honest, manly, intelligent millions of freemen.

We are opposed to all self-styled "wholesome restraints" on the free action of the popular opinion and will, other than those which have for their sole object the prevention of precipitate legislation. This latter object is to be attained by the expedient of the division of power, and by causing all legislation to pass through the ordeal of successive forms; to be sifted through the discussions of co-ordinate legislative branches, with mutual suspensive veto powers. Yet all should be dependant with equal directness and promptness on the influence of public opinion; the popular will should be equally the animating and moving spirit of them all, and ought never to find in any of its own creatures a self-imposed power, capable (when misused either by corrupt ambition or honest error) of resisting itself, and defeating its own determined object. We cannot, therefore, look with an eye of favor on any such forms of representation as, by length of tenure of delegated power, tend to weaken that universal and unrelaxing responsibility to the vigilance of public opinion, which is the true conservative principle of our institutions.

The great question here occurs, which is of vast importance to this country, (was it not once near dissolving the Union, and plunging it into the abyss of civil war?)—of the relative rights of majori-

* We concede to all the privilege of exercising their own fancy in the choice of their own names.

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ties and minorities. Though we go for the republican principle of the supremacy of the will of the majority, we acknowledge, in general, a strong sympathy with minorities, and consider that their rights have a high moral claim on the respect and justice of majorities; a claim not always fairly recognised in practice by the latter, in the full sway of power, when flushed with triumph, and impelled by strong interests. This has ever been the point of the democratic cause most open to assault, and most difficult to defend. This difficulty does not arise from any intrinsic weakness. The democratic theory is perfect and harmonious in all its parts; and if this point is not so self-evidently clear as the rest is generally, in all candid discussion, conceded to be, it is because of certain false principles of government, which have, in all practical experiments of the theory, been interwoven with the democratic portions of the system, being borrowed from the example of anti-democratic systems of government. We shall always be willing to meet this question frankly and fairly. The great argument against pure democracy, drawn from this source, is this:

Though the main object with reference to which all social institutions ought to be modelled is undeniably, as stated by the democrat, "the greatest good of the greatest number," yet it by no means follows that the greatest number always rightly understands its own greatest good. Highly pernicious error has often possessed the minds of nearly a whole nation; while the philosopher in his closet, and an enlightened few about him, powerless against the overwhelming current of popular prejudice and excitement, have alone possessed the truth, which the next generation may perhaps recognise and practice, though its author, now sainted, has probably, in his own time, been its martyr. The original adoption of the truth would have saved perhaps oceans of blood, and mountains of misery and crime. How much stronger, then, the case against the absolute supremacy of the opinion and will of the majority, when its numerical preponderance is, as often happens, comparatively small. And if the larger proportion of the more wealthy and cultivated classes of the society are found on the side of the minority, the disinterested observer may well be excused if he hesitate long before he awards the judgment, in a difficult and complicated question, in favor of the mere numerical argument. Majorities are often as liable to error of opinion, and not always free from a similar proneness to selfish abuse of power, as minorities; and a vast amount of injustice may often be perpetrated, and consequent general social injury be done, before the evil reaches that extreme at which it rights itself by revolution, moral or physical.

We have here, we believe, correctly stated the anti-democratic side of the argument on this point. It is not to be denied that it possesses something more than plausibility. It has certainly been

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the instrument of more injury to the cause of the democratic principle than all the bayonets and cannon that have ever been arrayed in support of it against that principle. The inference from it is, that the popular opinion and will must not be trusted with the supreme and absolute direction of the general interests; that it must be subjected to the "conservative checks" of minority interests, and to the regulation of the "more enlightened wisdom" of the "better classes," and those to whom the possession of a property "test of merit" gives what they term "a stake in the community." And here we find ourselves in the face of the great stronghold of the anti-democratic, or *aristocratic*,* principle.

It is not our purpose, in this place, to carry out the discussion of this question. The general scope and tendency of the present work are designed to be directed towards the refutation of this sophistical reasoning and inference. It will be sufficient here to allude to the leading ideas by which they are met by the advocate of the pure democratic cause.

In the first place, the greatest number are *more likely*, at least, as a general rule, to understand and follow their own greatest good, than is the minority.

In the second, a minority is much more likely to abuse power for the promotion of its own selfish interests, at the expense of the majority of numbers—the substantial and producing mass of the nation—than the latter is to oppress unjustly the former. The social evil is also, in that case, proportionately greater. This is abundantly proved by the history of all aristocratic interests that have existed, in various degrees and modifications, in the world. A majority cannot subsist upon a minority; while the natural, and in fact uniform, tendency of a minority entrusted with governmental authority is, to surround itself with wealth, splendor, and power, at the expense of the producing mass, creating and perpetuating those artificial social distinctions which violate the natural equality of rights of the human race, and at the same time offend and degrade the true dignity of human nature.

In the third place, there does not naturally exist any such original superiority of a minority class above the great mass of a community, in intelligence and competence for the duties of government—even putting out of view its constant tendency to abuse from selfish motives, and the safer honesty of the mass. The general diffusion of education; the facility of access to every species of knowledge important to the great interests of the community; the freedom of the press, whose very licentiousness cannot materially impair its permanent value, in this country at least, make the pretensions of those self-styled "better classes" to the sole possession of the requisite

* *Ἀριστοκρατία*, the government of the best.

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intelligence for the management of public affairs, too absurd to be entitled to any other treatment than an honest, manly contempt. As far as superior knowledge and talent confer on their possessor a natural charter of privilege to control his associates, and exert an influence on the direction of the general affairs of the community, the free and natural action of that privilege is best secured by a perfectly free democratic system, which will abolish all artificial distinctions, and, preventing the accumulation of any social obstacles to advancement, will permit the free developement of every germ of talent, wherever it may chance to exist, whether on the proud mountain summit, in the humble valley, or by the wayside of common life.

But the question is not yet satisfactorily answered, how the relation between majorities and minorities, in the frequent case of a collision of sentiments and particular interests, is to be so adjusted as to secure a mutual respect of rights, to preserve harmony and good will, and save society from the *malum extremum discordia*, from being as a house divided against itself—and thus to afford free scope to that competition, discussion, and mutual moral influence, which cannot but result, in the end, in the ascendency of the truth, and in "the greatest good of the greatest number." On the one side, it has only been shown that the absolute government of the majority does not always afford a perfect guarantee against the misuse of its numerical power over the weakness of the minority. On the other, it has been shown that this chance of misuse is, as a general rule, far less than in the opposite relation of the ascendency of a minority; and that the evils attendant upon it are infinitely less, in every point of view, in the one case than the other. But this is not yet a complete or satisfactory solution of the problem. Have we but a choice of evils? Is there, then, such a radical deficiency in the moral elements implanted by its Creator in human society, that no other alternative can be devised by which both evils shall be avoided, and a result attained more analogous to the beautiful and glorious harmony of the rest of his creation?

It were scarcely consistent with a true and living faith in the existence and attributes of that Creator, so to believe; and such is not the democratic belief. The reason of the plausibility with which appeal may be made to the experience of so many republics, to sustain this argument against democratic institutions, is, that the true theory of national self-government has been hitherto but imperfectly understood; bad principles have been mixed up with the good; and the republican government has been administered on ideas and in a spirit borrowed from the strong governments of the other forms; and to the corruptions and manifold evils which have never failed, in the course of time, to evolve themselves out of these seeds of destruction, is ascribable the eventual failure of those experiments,

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and the consequent doubt and discredit which have attached themselves to the democratic principles on which they were, in the outset, mainly based.

It is under the word *government*, that the subtle danger lurks. Understood as a central consolidated power, managing and directing the various general interests of the society, all government is evil, and the parent of evil. A strong and active democratic *government*, in the common sense of the term, is an evil, differing only in degree and mode of operation, and not in nature, from a strong despotism. This difference is certainly vast, yet, inasmuch as these strong governmental powers must be wielded by human agents, even as the powers of the despotism, it is, after all, only a difference in degree; and the tendency to demoralization and tyranny is the same, though the developement of the evil results is much more gradual and slow in the one case than in the other. Hence the demagogue—hence the faction—hence the mob—hence the violence, licentiousness, and instability—hence the ambitious struggles of parties and their leaders for power—hence the abuses of that power by majorities and their leaders—hence the indirect oppressions of the general by partial interests—hence (fearful symptom) the demoralization of the great men of the nation, and of the nation itself, proceeding (unless checked in time by the more healthy and patriotic portion of the mind of the nation rallying itself to reform the principles and sources of the evil) gradually to that point of maturity at which relief from the tumult of moral and physical confusion is to be found only under the shelter of an energetic armed despotism.

The best government is that which governs least. No human depositories can, with safety, be trusted with the power of legislation upon the general interests of society so as to operate directly or indirectly on the industry and property of the community. Such power must be perpetually liable to the most pernicious abuse, from the natural imperfection, both in wisdom of judgment and purity of purpose, of all human legislation, exposed constantly to the pressure of partial interests; interests which, at the same time that they are essentially selfish and tyrannical, are ever vigilant, persevering, and subtle in all the arts of deception and corruption. In fact, the whole history of human society and government may be safely appealed to, in evidence that the abuse of such power a thousand fold more than overbalances its beneficial use. Legislation has been the fruitful parent of nine-tenths of all the evil, moral and physical, by which mankind has been afflicted since the creation of the world, and by which human nature has been self-degraded, fettered, and oppressed. Government should have as little as possible to do with the general business and interests of the people. If it once undertake these functions as its rightful province of action,

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it is impossible to say to it 'thus far shalt thou go, and no farther.' It will be impossible to confine it to the public interests of the *commonwealth*. It will be perpetually tampering with private interests, and sending forth seeds of corruption which will result in the demoralization of the society. Its domestic action should be confined to the administration of justice, for the protection of the natural equal rights of the citizen, and the preservation of social order. In all other respects, the VOLUNTARY PRINCIPLE, the principle of FREEDOM, suggested to us by the analogy of the divine government of the Creator, and already recognised by us with perfect success in the great social interest of Religion, affords the true 'golden rule' which is alone abundantly competent to work out the best possible general result of order and happiness from that chaos of characters, ideas, motives, and interests—human society. Afford but the single nucleus of a system of administration of justice between man and man, and, under the sure operation of this principle, the floating atoms will distribute and combine themselves, as we see in the beautiful natural process of crystallization, into a far more perfect and harmonious result than if government, with its 'fostering hand,' undertake to disturb, under the plea of directing, the process. The natural laws which will establish themselves and find their own level are the best laws. The same hand was the Author of the moral, as of the physical world; and we feel clear and strong in the assurance that we cannot err in trusting, in the former, to the same fundamental principles of spontaneous action and self-regulation which produce the beautiful order of the latter.

This is then, we consider, the true theory of government, the one simple result towards which the political science of the world is gradually tending, after all the long and varied experience by which it will have dearly earned the great secret—the elixir of political life. This is the fundamental principle of the philosophy of democracy, to furnish a system of administration of justice, and then leave all the business and interests of society to themselves, to free competition and association—in a word, to the VOLUNTARY PRINCIPLE—

> Let man be fettered by no duty, save
> His brother's right—like his, inviolable.

It is borrowed from the example of the perfect self-government of the physical universe, being written in letters of light on every page of the great bible of Nature. It contains the idea of full and fearless faith in the providence of the Creator. It is essentially involved in Christianity, of which it has been well said that its pervading spirit of democratic equality among men is its highest fact, and one of its most radiant internal evidences of the divinity of its origin. It is the essence and the one general result of the science of political economy. And this principle alone, we will add, affords a satisfac-

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tory and perfect solution of the great problem, otherwise unsolved, of the relative rights of majorities and minorities.

This principle, therefore, constitutes our 'point of departure.' It has never yet received any other than a very partial and imperfect application to practice among men, all human society having been hitherto perpetually chained down to the ground by myriads of lilliputian fetters of artificial government and prescription. Nor are we yet prepared for its full adoption in this country. Far, very far indeed, from it; yet is our gradual tendency toward it clear and sure. How many generations may yet be required before our theory and practice of government shall be sifted and analysed down to the lowest point of simplicity consistent with the preservation of some degree of national organization, no one can presume to prophecy. But that we are on the path toward that great result, to which mankind is to be guided down the long vista of future years by the democratic principle,—walking hand in hand with the sister spirit of Christianity,—we feel a faith as implicit as that with which we believe in any other great moral truth.

This is all generalization, and therefore, though necessary, probably dull. We have endeavored to state the theory of the Jeffersonian democracy, to which we profess allegiance, in its abstract essence, however unpopular it appears to be, in these latter days, to 'theorize.' These are the original ideas of American democracy; and we would not give much for that 'practical knowledge' which is ignorant of, and affects to disregard, the essential and abstract principles which really constitute the animating soul of what were else lifeless and naught. The application of these ideas to practice, in our political affairs, is obvious and simple. Penetrated with a perfect faith in their eternal truth, we can never hesitate as to the direction to which, in every practical case arising, they must point with the certainty of the magnetized needle; and we have no desire to shrink from the responsibility, at the outset, of a frank avowal of them in the broadest general language.

But having done so, we will not be further misunderstood, and we hope not misrepresented, as to immediate practical views. We deem it scarcely necessary to say that we are opposed to all precipitate radical changes in social institutions. Adopting 'Nature as the best guide,' we cannot disregard the lesson which she teaches, when she accomplishes her most mighty results of the good and beautiful by the silent and slow operation of great principles, without the convulsions of too rapid action. *Festina lente* is an invaluable precept, if it be not abused. On the other hand, that specious sophistry ought to be no less watchfully guarded against, by which old evils always struggle to perpetuate themselves by appealing to our veneration for 'the wisdom of our fathers,' to our inert love of

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present tranquillity, and our natural apprehension of possible danger from the untried and unknown—

> Better to bear the present ills we know,
> Than fly to others that we know not of.

We are not afraid of that much dreaded phrase, "untried experiment," which looms so fearfully before the eyes of some of our most worthy and valued friends. The whole history of the progress hitherto made by humanity, in every respect of social amelioration, records but a series of '*experiments*.' The American revolution was the greatest of 'experiments,' and one of which it is not easy at this day to appreciate the gigantic boldness. Every step in the onward march of improvement by the human race is an 'experiment;' and the present is most emphatically an age of 'experiments.' The eye of man looks naturally *forward;* and as he is carried onward by the progress of time and truth, he is far more likely to stumble and stray if he turn his face backward, and keep his looks fixed on the thoughts and things of the past. We feel safe under the banner of the democratic principle, which is borne onward by an unseen hand of Providence, to lead our race toward the high destinies of which every human soul contains the God-implanted germ; and of the advent of which—certain, however distant—a dim prophetic presentiment has existed, in one form or another, among all nations in all ages. We are willing to make every reform in our institutions that may be commanded by the test of the democratic principle—to *democratize* them—but only so rapidly as shall appear, to the most cautious wisdom, consistent with a due regard to the existing developement of public opinion and to the permanence of the progress made. Every instance in which the action of *government* can be simplified, and one of the hundred giant arms curtailed, with which it now stretches around its fatal protecting grasp over almost all the various interests of society, to substitute the truly healthful action of the free voluntary principle—every instance in which the operation of the public opinion and will, fairly signified, can be brought to bear more directly upon the action of delegated powers—we would regard as so much gained for the true interest of the society and of mankind at large. In this path we cannot go wrong; it is only necessary to be cautious not to go too fast.

Such is, then, our democracy. It of course places us in the school of the strictest construction of the constitution; and in that appears to be involved a full committal of opinion on all the great political questions which now agitate the public mind, and to which we deem it unnecessary here to advert in detail. One necessary inference from the views expressed above is, that we consider the preservation of the present ascendency of the democratic party as of great, if not vital, importance to the future destintes of this holy

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cause. Most of its leading members we know to possess all the qualifications that should entitle men to the confidence and attachment of their country; and the arduous functions of the executive department of the government are administered with an efficiency, and a strictness and purity of principle, which, considering their nature, extent, and complexity, are indeed remarkable. And even without a particular knowledge of the men, the principle alone would still of necessity attach us to that party. The acquisition of the vast influence of the executive department by the present Opposition principles, we could not look upon but as a staggering blow to the cause of democracy, and all the high interests committed with it; from which it would take a long and indefinite period of years to recover—even if the loss of time in national progress would not, in that event, have to be reckoned by generations! We shall therefore, while devoting ourselves to preserve and improve the purity of our democratic institutions, labor to sustain the present democratic administration, by fair appeal to argument, with all the earnestness due to the gravity of the principles and interests involved.

We are admonished by the prescribed limits of this introductory article, to curtail various topics of interest to which we had intended to allude in it. The important subject of national literature cannot, however, be passed without a slight notice.

What is the cause, is sometimes asked among the disciples of the democratic school of political philosophy, of that extensive anti-democratic corruption of sentiment in some portions of our people, especially in the young mind of the nation, which is certainly so just a subject of surprise and alarm? It has lately been a topic of newspaper remark, that nineteen-twentieths of the youth of one of the colleges of Virginia were opposed to the democratic principles. The very exaggeration is good evidence of the lamentable truth; and it is well known that a very large proportion of the young men who annually leave our colleges, carry with them a decided anti-popular bias, to swell the ranks of that large majority of the '*better classes*' already ranged on that side, and to exercise the influence of their cultivated talents in a cause at variance with the genius of our country, the spirit of the age, the best interests and true dignity of humanity, and the highest truths of the science of political morals.

And yet the democratic cause is one which not only ought to engage the whole mind of the American nation, without any serious division of its energies,—to carry forward the noble mission entrusted to her, of going before the nations of the world as the representative of the democratic principle and as the constant living exemplar of its results; but which ought peculiarly to commend itself to the generosity of youth, its ardent aspirations after the

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good and beautiful, its liberal and unselfish freedom from narrow prejudices of interest.

For Democracy is the cause of Humanity. It has faith in human nature. It believes in its essential equality and fundamental goodness. It respects, with a solemn reverence to which the proudest artificial institutions and distinctions of society have no claim, the human soul. It is the cause of philanthropy. Its object is to emancipate the mind of the mass of men from the degrading and disheartening fetters of social distinctions and advantages; to bid it walk abroad through the free creation 'in its own majesty;' to war against all fraud, oppression, and violence; by striking at their root, to reform all the infinitely varied human misery which has grown out of the old and false ideas by which the world has been so long misgoverned; to dismiss the hireling soldier; to spike the cannon, and bury the bayonet; to burn the gibbet, and open the debtor's dungeon; to substitute harmony and mutual respect for the jealousies and discord now subsisting between different classes of society, as the consequence of their artificial classification. It is the cause of Christianity, to which a slight allusion has been already made, to be more fully developed hereafter. And that portion of the peculiar friends and ministers of religion who now, we regret to say, cast the weight of their social influence against the cause of democracy, under the false prejudice of an affinity between it and infidelity, (no longer, in this century, the case, and which, in the last, was but a consequence of the overgrown abuses of religion found, by the reforming spirit that then awakened in Europe, in league with despotism,) understand but little either its true spirit, or that of their own faith. It is, moreover, a cheerful creed, a creed of high hope and universal love, noble and ennobling; while all others, which imply a distrust of mankind, and of the natural moral principles infused into it by its Creator, for its own self-developement and self-regulation, are as gloomy and selfish, in the tone of moral sentiment which pervades them, as they are degrading in their practical tendency, and absurd in theory, when examined by the light of original principles.

Then whence this remarkable phenomenon, of the young mind of our country so deeply tainted with anti-democratic sentiment—a state of things lamentable in itself. and portentous of incalculable future evil?

Various partial causes may be enumerated in explanation of it; among which we may refer to the following: In the first place, the possession of the executive power (as it exists in our system) is, in one point of view, a great disadvantage to the principles of that ascendant party. The Administration occupies a position of defence; the Opposition, of attack. The former is by far the more arduous task. The lines of fortification to be maintained against the never

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relaxing onsets from every direction, are so extensive and exposed, that a perpetual vigilance and devotion to duty barely suffice to keep the enemy at bay. The attacking cause, ardent, restless, ingenious, is far more attractive to the imagination of youth than that of the defence. It is, moreover, difficult, if not impossible, to preserve a perfect purity from abuse and corruption throughout all the countless ramifications of the action of such an executive system as ours, however stern may be the integrity, and high the patriotism, of the presiding spirit which, from its head, animates the whole. Local abuses in the management of party affairs are the necessary consequence of the long possession of the ascendancy. The vast official patronage of the executive department is a weight and clog under which it is not easy to bear up. This must lay any administration open to perpetual assault at great disadvantage; and especially if the great party campaign present at any time such a phase as may render it necessary to put forth, to the full limits of constitutional right, the energies of the executive department, to resist the accumulated pressure of attack, bearing along in its train evils, to avert which almost any means would seem justifiable. This we have seen, in a remarkable manner, the case during the two terms of the late administration. Our natural jealousy of power affords a string to which, when played upon by the bold and skilful hands that are never found wanting, the very spirit of democratic freedom never fails to respond; and many are confused by sophistry and clamor, and carried away by the power of eloquence—divine, even though misused—to array themselves against their own best and most honest friends, under leaders, in truth, the worst enemies of the American principles for which they believe themselves contending.

In the second place, we may refer to a cause which we look upon with deep pain, as one of the worst fruits of the evil principles to which allusion has already been made above as existing in our system—the demoralization of many of the great men of the nation. How many of these master-spirits of their day, to whom their country had long been accustomed to look with generous affection as her hope and pride, have we not seen seduced from the path of their early promise by the intrigues of party and the allurements of ambition, in the pursuit of that too dazzling prize, and too corrupting both in the prospect and the possession—the presidential office! To how many a one could we point, within the history of the last quarter of a century, to whom we might well apply Milton's famous description of Lucifer, the Son of the Morning:

> He above the rest,
> In shape and gesture proudly eminent,
> Stood like a tower; his form had not yet lost
> All her original brightness, nor appeared
> Less than archangel ruined, and the excess

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Of glory obscured; as when the sun new risen
Looks through the horizontal misty air,
Shorn of his beams, or from behind the moon,
In dim eclipse, disastrous twilight sheds
On half the nations, and with fear of change
Perplexes monarchs. Darkened so, yet shone
Above them all the archangel; but his face
Deep scars of thunder had entrench'd, and care
Sat on his faded cheek, but under brows
Of dauntless courage and considerate pride,
Waiting revenge, &c.

The influence of such men, (especially on the minds of the young,) commanding by their intellectual power, misleading by their eloquence, and fascinating by the natural sympathy which attaches itself to greatness still proud in its 'fallen estate,' produces certainly a powerful effect in our party contests.

We might also refer to the fact, that the anti-democratic cause possesses at least two-thirds of the press of the country, and that portion of it which is best supported by talent and the resources of capital, under the commercial patronage of our cities. To the strong influence that cities,—where wealth accumulates, where luxury gradually unfolds its corrupting tendencies, where aristocratic habits and social classifications form and strengthen themselves, where the congregation of men stimulates and exaggerates all ideas,—to the influence that cities exert upon the country, no inconsiderable effect is to be ascribed. From the influence of the mercantile classes, too, (extensively anti-democratic) on the young men of the professions, especially that of the law, creating an insensible bias, from the dependence of the latter mainly on the patronage of the former, these young men becoming again each the centre of a small sphere of social influence; from that of the religious ministry, silently and insensibly exerted, from the false prejudice slightly touched upon above; from these and some other minor influences, on which we cannot here pause, a vast and active power on public opinion is perpetually in operation. And it is only astonishing that the democratic party should be able to bear up against them all so successfully as we in fact witness. This is to be ascribed (under that Providence whose unseen hand we recognise in all human affairs) only to the sterling honesty and good sense of the great industrious mass of our people, its instinctive perception of, and yearning after, the democratic truth, and the unwavering generosity of its support of those public servants whom it has once tried well and long, and with whom it has once acknowledged the genuine sympathy of common sentiments and a common cause. Yet still the democratic principle can do little more than hold its own. The moral energies of the national mind are, to a great extent, paralyzed by division; and instead of bearing forward the ark of democratic truth, entrusted to us as a chosen people, towards the glorious destiny of its future, we must

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fain be content, if we can but stem with it the perpetual tide of attack which would bear it backward towards the ideas and habits of past dark ages.

But a more potent influence than any yet noticed, is that of our national literature. Or rather we have no national literature. We depend almost wholly on Europe, and particularly England, to think and write for us, or at least to furnish materials and models after which we shall mould our own humble attempts. We have a considerable number of writers; but not in that consists a national literature. The vital principle of an American national literature must be democracy. Our mind is enslaved to the past and present literature of England. Rich and glorious as is that vast collection of intellectual treasure, it would have been far better for us had we been separated from it by the ocean of a difference of language, as we are from the country itself by our sublime Atlantic. Our mind would then have been compelled to think for itself and to express itself, and its animating spirit would have been our democracy. As it now is, we are cowed by the mind of England. We follow feebly and afar in the splendid track of a literature moulded on the whole (notwithstanding a number of noble exceptions) by the ideas and feelings of an utterly anti-democratic social system. We give back but a dim reflection—a faint echo of the expression of the English mind. No one will misunderstand us as disparaging the literature of our mother language—far from it. We appreciate it with a profound veneration and gratitude, and would use it, without abusing it by utterly submitting our own minds to it; but we look upon it, as we do upon the political system of the country, as a something magnificent, venerable, splendid, and powerful, and containing a considerable infusion of the true principle; yet the one no more suitable to be adopted as our own, or as a model for slavish imitation, than the other. In the spirit of her literature we can never hope to rival England. She is immeasurably in advance of us, and is rich with ever active energies, and resources of literary habits and capital (so to speak) which mock our humble attempts at imitation. But we should not follow in her wake; a radiant path invites us forward in another direction. We have a principle—an informing soul—of our own, our democracy, though we allow it to languish uncultivated; this must be the animating spirit of our literature, if, indeed, we would have a national American literature. There is an immense field open to us, if we would but enter it boldly and cultivate it as our own. All history has to be re-written; political science and the whole scope of all moral truth have to be considered and illustrated in the light of the democratic principle. All old subjects of thought and all new questions arising, connected more or less directly with human existence, have to be taken up again and re-examined in this point of view. We *ought* to exert a powerful

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moral influence on Europe, and yet we are entirely unfelt; and as it is only by its literature that one nation can utter itself and make itself known to the rest of the world, we are really entirely unknown. In the present general fermentation of popular ideas in Europe, turning the public thoughts naturally to the great democracy across the Atlantic, the voice of America might be made to produce a powerful and beneficial effect on the developement of truth; but as it is, American writings are never translated, because they almost always prove to be a diluted and tardy second edition of English thought.

The anti-democratic character of our literature, then, is a main cause of the evil of which we complain; and this is both a mutual cause and effect, constantly acting and re-acting. Our 'better educated classes' drink in an anti-democratic habit of feeling and thinking from the copious, and it must be confessed delicious, fountain of the literature of England; they give the same spirit to our own, in which we have little or nothing that is truly democratic and American. Hence this tone of sentiment of our literary institutions and of our learned professions, poisoning at the spring the young mind of our people.

If the "United States Magazine and Democratic Review" shall be able, by the influence of example and *the most liberal* encouragement, to contribute in any degree towards the remedy of this evil, (as of the other evils in our institutions which may need reform,) by vindicating the true glory and greatness of the democratic principle, by infusing it into our literature, and by rallying the mind of the nation from the state of torpor and even of demoralization in which so large a proportion of it is sunk, one of the main objects of its establishment will have been achieved.

THE BATTLEFIELD.

BY WILLIAM CULLEN BRYANT.

ONCE this soft turf, this rivulet's sands,
  Were trampled by a hurrying crowd,
And fiery hearts and armed hands
  Encountered in the battle cloud.

Ah! never shall the land forget
  How gushed the life blood of her brave—
Gushed, warm with hope and valour yet,
  Upon the soil they fought to save.

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Now all is calm and fresh and still,
  Alone the chirp of flitting bird,
And talk of children on the hill,
  And bell of wandering kine, are heard.

No solemn host goes trailing by
  The black-mouthed gun and staggering wain;
Men start not at the battle cry,
  Oh, be it never heard again!

Soon rested those who fought—but thou,
  Who minglest in the harder strife
For truths which men receive not now,
  Thy warfare only ends with life.

A friendless warfare! lingering long
  Through weary day and weary year;
A wild and many-weaponed throng
  Hang on thy front and flank and rear.

Yet nerve thy spirit to the proof,
  And blench not at thy chosen lot;
The timid good may stand aloof,
  The sage may frown—yet faint thou not!

Nor heed the shaft too surely cast,
  The hissing, stinging bolt of scorn;
For with thy side shall dwell, at last,
  The victory of endurance born.

Truth, crushed to earth, shall rise again;
  The eternal years of God are her's;
But Error, wounded, writhes with pain,
  And dies among his worshippers.

Yea, though thou lie upon the dust,
  When those who helped thee flee in fear,
Die full of hope and manly trust,
  Like those who fell in battle here.

Another hand thy sword shall wield,
  Another hand the standard wave,
Till from the trumpet's mouth is pealed
  The blast of triumph o'er thy grave!

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NATHANIEL MACON.

There is no name in the history of this country which is destined to a higher or a more perpetual fame than that of Nathaniel Macon, of North Carolina. The purity and simplicity of his life have made a lasting impression on the minds of his countrymen, and contributed most essentially to elevate the standard of political morality among the public men of his time. The example of his public career, from the humble station of a volunteer soldier in the army of the revolution to the highest rank as a Senator, will, in future times, be referred to as an instructive lesson of wisdom; and whoever shall studiously observe the admirable calmness of his whole life will respond to the legacy of affectionate remembrance bequeathed to him by the long-tried and faithful friend of his youth and his old age.*

Mr. Macon's life was essentially a life of principle. The principles which guided him in his votes as a Senator were but the rules upon which he conducted the administration of all his duties as a citizen, expanded and applied to a more enlarged sphere of action; nor could the most scrutinizing criticism detect a solitary blot upon the fair fame of his long, useful, and eventful life.

We conceive the character of such a man to be an appropriate subject for one of the leading articles in the first number of the Democratic Review. The identity of his name with the great principles upon which this journal stands, affords a suitable opportunity of illustrating those principles, by an appeal to the progressive stages of his public life, to his behaviour as a volunteer soldier, as well as to his votes as a Senator. The obligation which every man should deeply feel to serve his country was well illustrated by Mr. Macon in his enlisting as a volunteer while a student at Princeton, in the year 1777; and so eager was he to be useful in the cause of his country, that even after his return to North Carolina, when his mind had been improved by his collegiate studies, and with the advantage of his military service, he was content to go into the army as a private soldier, under the command of officers inferior to him in education and fortune. His object was the good of his country, and his purpose to be serviceable was not to be checked by an apprehension of degradation, in the discharge of the duties of a common soldier. Even at that early age his heart was indifferent to the gaudy allurements of ambition, and the intensity of his love for his country reconciled him to the fatigues of the camp, as well as to the strictest obedience of the orders of a superior.

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* The manner in which Mr. Macon is mentioned in John Randolph's will is well known, and is equally honorable to both.

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It is one of the main objects of this Review to protect from the sneers and scoffs of what is styled "fashionable society" the pure democratic principle so aptly personified in the youthful character of Mr. Macon, when he entered the army in its humblest station. His fortune was in every way ample, his education superior, and his family the very first in opulence, and antiquity of residence, in his native State; still, when he found the cause of his country in danger, he made no demand for the favoritism usually extended to men in such circumstances; but of his own free will took his place among the *privates* of the army. The true principle of democracy is devotion to the interest of the people; but alas! how few of the great men of our country have left behind them a name fortified by such an illustrious example of singleness of patriotic purpose; an example which should be constantly in view of the youth of our land; an example which teaches more than the folios of philosophers, and which, if lastingly impressed upon the memory of posterity, will contribute no inconsiderable influence to perpetuate our liberty and our Union.

Mr. Macon, during the whole war of the revolution, served in no other capacity than that of a common soldier. Even after the defeat of Gates at Camden, when he again enlisted, on the approach of Cornwallis towards Halifax, he preferred the ranks to the subordinate command of the army; and accordingly we find him under the command of his brother, Col. John Macon, in one of the companies which hovered on the march of the British army from Wilmington to the Roanoke.

When the war ceased, the people justly appreciated his sacrifices, and, having found him ever faithful to their honor and interest, entrusted him with the civil duties of a legislator, by an election to the House of Commons of North Carolina. It was here that Mr. Macon was first called upon to bring into practice, by his votes, those sterling principles of democracy, for an ardent support of which his name will ever be memorable in the history of this government. In the character of a legislator, he could not possibly continue unobserved in the ranks of the members. His name, his education, and his meritorious services and sacrifices in the army, now began to have their influence; and ere long his name was to be found on nearly all the important committees; and, when the election of Councillors of State came up before the Commons, young Macon expressly declined being considered a candidate for that *then* very honorable and responsible station.

From the conclusion of the revolutionary war, the history of North Carolina presents nothing but a succession of popular struggles, growing out of the distress always incidental to a depreciated paper currency; and both in the Assembly, and among the people, Mr. Macon was distinguished for the high sternness of the remedies he

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proposed. The revolution had been conducted by means of paper issues, but this circulating medium had been so long below its nominal value, that in the general exchanges and contracts of the country, it was only received at a degraded discount, which the common consent of all had regularly established. It was therefore that, in the arrangement of the finances of the State, we find such men as Mr. Macon the advocates of a law legitimating the depreciated standard of those paper issues, and pledging the credit of the State for their redemption, at such a rate of discount only as they were received by the people of the whole country. It was in this kind of money the soldiers of the revolution had been paid for their services to their country, and his ideas of justice taught him that they alone, and not the persons to whom they might have passed it, were really entitled to indemnity for the loss. The State was without *means*, as it had formerly been without freedom, and it was the duty of patriotic men to suffer once more for the maintenance of her credit and her fame. Such was the doctrine of Mr. Macon in a time of the deepest public distress.

While the politicians of North Carolina were busily engaged in the discussion of the affairs of the State, the subject of the Federal Constitution was brought before the people; and on the division of parties on this question, Mr. Macon was found among its thorough opponents. It is unnecessary here to allude at much length to the principles of the two parties which then came into collision. Mr. Macon and all his family were violently opposed to the formation and adoption of a federal constitution. The reasons which influenced him to such a course were his convictions that any general government, independent of the legislatures of the several States, would soon be independent of the will of the people; and that then corruption in every shape would ensue. In this, as in every thing else, he was guided by the simple democratic rule, that government was made for the people, and that it should never be beyond the immediate reach of their voice, or the absolute control of their will. To his latest hour he rejoiced in his original opposition to the present plan of a federal government; and in the gloomy hour of the Proclamation and the 'Force Bill,' he recurred to the reminiscence with evident satisfaction. Splendid governments at best are but the disguises of tyranny; and Mr. Macon thought that he saw in the constitution of the United States the lurking elements of corruption, which the ingenious and forced constructions of mercenary politicians would soon develope into action.

It will be remembered that North Carolina delayed the adoption of the constitution until November, 1789. The first election for members of Congress was therefore only for an unexpired term of service, and for this post Mr. Macon was not a candidate. He was first elected to the House of Representatives in the summer of 1791,

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and took his seat on the 25th of October of that year. He immediately commenced an active and energetic opposition to the financial schemes of Alexander Hamilton, then Secretary of the Treasury; and the intimacy which was then formed between Jefferson and himself continued until death separated them forever.

Mr. Macon found himself in Congress surrounded by the same condition of parties as in the Assembly of North Carolina. Persons who had speculated in the depreciated paper issues and debts of the States were hovering around the legislative halls of the infant government, exerting themselves but too successfully to induce the members to support the scheme of funding, at a par value, the *paper* which they had received at an immense depreciation; and, remembering the shameful extortion which had been practiced upon the brave soldiers of the then disbanded army by these speculating *muckworms*, he could not conceive the honesty or justice of their claims for the indemnity which they now pressed with all the importunity of avarice.

Throughout the whole of the administration of Gen. Washington, Mr. Macon was found among the members of the opposition. Against Jay's treaty, as to every other leading measure, he zealously exerted himself; and it was about this period of his life he commenced those political arrangements which, in the course of a very few years, overthrew the federal party of North Carolina. His only weapon, however, was an appeal to the people; and this appeal he founded upon the danger which threatened the integrity of our democratic institutions; and, throwing himself upon his country for a trial, he brought to the defence of his position a moral force of argument and reason which ultimately secured to him the most signal triumph. When we recur to the tremendous force of mind arrayed against him, we cannot but wonder at his success. Governor Johnston, General Davie, and Judge Iredell—these were but some of the leaders of the federal party, men of gigantic minds, of profound learning, and of the most consummate skill. They were men, too, who had every claim upon the affections of their countrymen for the distinguished services they had rendered in the darkest hour of the war, in the cabinet as well as in the field. The whole press of the State was emphatically under their control; the influence of the General Government was in their hands; and, in short, every means of success was brought to bear in this grand struggle to overwhelm the simple majesty of this obstinate and high-souled democrat.

The campaign commenced in the Assembly with an effort to legislate him out of Congress, by a reorganization of the districts, in which the county of Warren (which is on the Virginia line) was annexed to a county in the neighborhood of South Carolina; but the very means which the federalists used to defeat him recoiled back upon themselves, for he extended his influence and his doctrines

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wherever he went, by the respect and confidence which his personal character invariably inspired. Those who had supposed, from the simplicity and innocence of his manners, that he was inefficient, knew but little either of Mr. Macon or of the people among whom he had been reared into life. He was no intriguer, no follower of the opinions of men, no worshipper of popular prejudice, no flatterer of power; his art, his only source of influence over the minds of the people, was simply the almost magical force of his character, the attributes of which were, contempt for the ostentatious pretensions of wealth or power, indifference to the dignity or emoluments of office, and an immovable adherence to his own opinions. Wherever he went, his example, as well as his language, instructed the people in the principles of democracy; and it was perhaps the complete political ubiquity forced upon him by the legislation of the Assembly, that contributed, more than any other cause, to hasten the downfall of the federal party in North Carolina.

The great error of the leaders of the federal party was, that they had underrated the genius of Mr. Macon, and mistaken the character of the man. They had not studied the history of his life. They did not appreciate the indefatigable and unshrinking patriotism of him who, when a boy, and surrounded by all the blandishments of wealth and maternal affection, joined the army of his country as a common soldier. They did not perceive, as they should have done, in this one act of his life, that his spirit and his convictions were as unconquerable as were the principles which he so boldly avowed; and that, come what might, those principles, personified in his public and private character, could not be forgotten whilst he lived. Mr. Macon had thus established the foundations of his popularity deep in the affections of the citizens of his native county, and, by degrees, extending himself from county to county, he was soon felt in the remotest parts of the State. Every inch of ground he gained was seen to remain steadfast in its conviction and in its adherence to the democratic principle. The bond which united his party was the determination to simplify, to cheapen, and to restrain the apparently heedless career of the new government, which bade fair, by its alien and sedition laws, to strangle the infant genius of American liberty, and, by its profuse expenditure of the public money, to corrupt and to bribe the people into a support of the Liberticide.

So rapid, indeed, was the progress of events leading to the ultimate triumph of the democratic party, that though, in 1799, the Assembly of North Carolina rejected the Virginia resolutions in favor of State rights, one single year more developed the defeat of Mr. Adams, and the complete success of Mr. Macon, in the vote which North Carolina gave for Mr. Jefferson. Still further triumphs awaited the hero of the democracy in the congressional election in the Halifax district, in which General Davie (who had returned

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from his mission to France) took the field, in a last effort to restore the federal banner to its former vaunted supremacy. No man entertained a higher respect for the character of General Davie than Mr. Macon; no man felt more grateful to him for his eminent military services, or was more disposed to accord to him the applause due to his high and commanding talents; but still they were separated by the great principle of the age in which they lived, and struggle after struggle had no doubt embittered the contest. The election came on, and General Davie was defeated. The catastrophe disbanded the federal party of the State; and although, for a long time afterwards, it rallied in the Newbern and Salisbury districts to the support of a Stanley, a Gaston, a Henderson, and a Person, still it was no longer a party which could reasonably aspire to the control of the State.

From the very commencement of the administration of Mr. Jefferson, Mr. Macon became one of the leaders of the popular house of Congress, and the respect and confidence of his fellow members elevated him to the chair of its presiding officer. In the station of Speaker of the House of Representatives, he exhibited, in the strongest light, those distinctive principles of character for which he was so remarkable. He demanded of every member the strictest obedience to the rules of the house, and the gazettes of the day allude in high terms of praise to the excellent order which prevailed in the legislative proceedings, under his direction. He had obeyed the commands of authority as a soldier, and it was this high sense of allegiance to legitimate authority which made practicable the democratic principles he professed. Democracy is too often confounded with licentiousness; but Mr. Macon has left behind him an example which distinguishes the two, illustrating, in every act of his life, the practice of the purest popular principles, in the enjoyment of the highest honors of office, as well as in the faithful discharge of his duties as a citizen.

From the administration of Mr. Jefferson to the year 1816, Mr. Macon continued his support of the leading measures of the party to which he belonged. It was, however, during the second term of his friend's service as President that he began to perceive, as he thought, slight symptoms of decline in the purity of the principles of the democratic party. The first four years of Mr. Jefferson's administration, he used frequently to say, were the most propitious days for the democracy; and it is remarkable that after this period we find him frequently voting with the Opposition, especially on appropriations deemed by the government indispensable to its existence. To Mr. Madison's administration he came very near a decided opposition. He thought all his cabinet appointments unfortunate for the interest of the country, and some of them decidedly anti-democratic. But still he continued to stand forth as the leader of

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democracy, and whenever the course of policy of the cabinet veered from the range of his support, the records of the House of Representatives will show that it lost the votes of many of the most distinguished members of the party, of which he was the acknowledged nucleus.

We propose to say but a few words on the subject of Mr. Macon's course during the war which was declared against Great Britain, in 1812. He voted for the declaration of war, but he voted against the appropriations to sustain it; and for this he has been denounced, in terms by no means remarkable for their courtesy. But we shall have as little difficulty in defending his course upon this subject as upon any other; and need only, in fact, appeal to the bills of appropriation themselves, which embrace not only expenditures for the support of the war, but for nearly every service of the whole country. It was as common in those days as in these in which we live, for the opposition to the government to insert in the regular bills of appropriation for its support every item of unpopular expenditure, which the heated mind of a factionist could suggest; and these bills for the support of the war were not unfrequently filled with appropriations for objects wholly without the meaning of its title. Mr. Macon would not vote a million of dollars for the support of the war, if he was obliged to include two millions for other ulterior objects.

He had, indeed, no respect for the tricks of legislation, even when he thought the honor of the country was at stake. It appeared to him too much like bribing people to be patriotic. If the war could not be conducted without falsifying the title of a law, he would prefer an appeal to the people, to rally and fight, as they had fought before, without appropriations for their *pay*. His patriotism was, indeed, too lofty for the reach of the ordinary race of politicians; his sense of obligation to the people, not to squander their money, too unbending for the *log-rolling* honesty of factious demagogues, who were and are ever ready to perjure themselves, in case some one opposed to their mercenary views will reciprocate the crime. *Fiat justitia* is the creed of but too few of the statesmen of this country, or of this age; but the example of Mr. Macon will attest the fact, that strict justice and honesty can never fail to secure the happiness of life, and the distinctions of an enduring fame.

It is unnecessary to give a more detailed account of the principles of Mr. Macon. The remainder of his life, from the year 1816, (when he took his seat in the Senate,) to the period of his death, was spent in the daily practice of the precepts, and adherence to the doctrines of an honest democrat. He was opposed to the Bank of the United States, and, indeed, to all banks; to all forced constructions of the constitution; to all duties for the protection of manufactures;

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to all schemes of internal improvement by the aid of the government; and, in short, to every expenditure of the public money for purposes not absolutely necessary. He looked upon the public treasury as the property of the people; and recognized no difference between the criminality of a breach of public and of private trust. If he had been the agent of one of his neighbors to receive and pay out money, he could not have been more scrupulous in his notions of responsibility; and the whole history of mankind may be safely challenged for another example of serener lustre, as a strictly honest public servant.

In 1828, after the election of General Jackson was ascertained, Mr. Macon resigned his seat in the Senate, and retired altogether from public life. In the daily performance of the duties of a good citizen, he continued to live until the year 1835, when he was called out from his retirement, by the unanimous voice of his fellow-citizens, to become a member of the convention of the people, for the amendment of the constitution of North Carolina. He was elected President of that body, and united with Judge Gaston in the noble effort which that gentleman made to establish the freedom of religious opinion. On many other occasions, however, he differed from his distinguished friend on the most important political subjects, and in the last hour of the existence of the convention, he voted against the amended constitution, because it destroyed annual elections. While a member of the convention he frequently brought before the public, in short speeches, his peculiar democratic views, touching the independence of courts of justice, a principle which he held incompatible with the rights of a free people, and dangerous to the very existence of true liberty.

In 1836, Mr. Macon was again called upon by the people of North Carolina, to consummate another and signal triumph of democracy. He was chosen to act as elector of President and Vice President of the United States, in the late memorable contest, in which North Carolina rendered such noble service to the cause of Mr. Van Buren, and repaired to Raleigh, where he presided over the deliberations of the college of electors. Many of the friends of Mr. Macon were strongly opposed to the use made of his name, in placing him at the head of the electoral ticket—and the writer of this notice ventured, in a confidential letter, to protest against his entrance again into public life, on the ground that his presidency of the State convention was the most appropriate termination of his political career; and he ventured likewise to suggest, that it looked too much as if he were but the mere tool of a party, and not the patriarch of the people of the State. To the letter above alluded to, Mr. Macon made the following remarkable and characteristic reply:

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WARREN COUNTY, *October* 6, 1836.

SIR: I had nothing to do with putting my name on the democratic ticket of electors; and I shall certainly not have it taken off. If the people of North Carolina elect me to any service, I will, as far as I am able, and in the way I can, perform it. I am glad you have written to me, because I know you will, according to nature, live after me: and I know your habit of writing history will not allow you to respect my name as I want it to be respected, namely—in *silence*. It is not the first time I have been advised against being an elector, on the ground of people suspecting me of being a tool of a party. A party is nothing more than a union of certain people, for some great political end; and if I agree with those people, I had as lief be their tool, as to be any thing else in political life. I think Mr. Van Buren the best man for the office of President; and I shall vote for him, if I go to the election; and if I am chosen elector, I shall go to Raleigh, if I am able. I think better of the people than most of the men I meet with. I have tried them in every way, and never found them faithless. It is men who set up for leaders who betray them, and make them suspicious. My health is as good as could be expected. I send you a letter of old General Person, which lately came into my possession. I wish you every success in life.

Your kinsman.

N. MACON.

After Mr. Macon returned from Raleigh, in November, 1836, whither he had been to fulfil the predictions of the above letter, he remained constantly at home, dispensing the hospitality of his house to all who might visit him. He seemed to be obviously preparing for death, which he knew was close upon his lengthened duration of life; and his friends had the satisfaction to perceive that the continued indications of its approach gave no uneasiness to a man whose life had been essentially a career of virtue and usefulness. In the spring preceding the date of this review, he was suddenly attacked with some of the symptoms of a paralysis; but under the temperance of his life, he soon revived, and was restored to the usual health of his old age. But a few days more, however, rolled over his head, when, on the 29th of June, 1837, he expired at Buck Spring, the name of his plantation, in his native county of Warren. The incidents of his last illness have lately been before the public, in the newspapers of the country, and his funeral has been alluded to, as a most remarkable exhibition of the grief and veneration of a whole people. We are informed by a correspondent who witnessed it, that more than one thousand persons were present on the melancholy occasion, all deeply impressed with a sense of the irreparable loss which the whole country had sustained. The few of his old companions in arms, who still remained upon the theatre of life, were there, mingling their veteran tears with those who had grown up under the free government which their almost forgotten trials had achieved. The deceased had made provision for his funeral before his death; and in ordering that all who came to it should be hospitably entertained, he did not forget the poor slaves, whose grateful hearts he knew would bring them to the scene to pay the last tribute of idolatrous love. The feelings of all were too intense for expression, and the voice of the minister alone broke the

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universal silence of the peopled grave. The good old man is dead and buried; and though no monument of brass shall mark his grave, the spot will be immortal in the traditionary reverence which the posterity of his countrymen will pay it to the last hour of time.

The name, the character, the fame, of Mr. Macon are emphatically identified with the *ultra democratic* principle, not only of this country, but of this age. He was a democrat, because he believed in the integrity of the people; and he looked to their legitimately expressed will, as the supreme law. According to his creed, government was created for mankind, and not mankind for government. Freedom—unqualified freedom—was the grand prerogative of nature. "All men were born free and equal." Ingenious and entangled forms of government were the veils of tyranny, which it was patriotic to rend asunder. A tendency to usurpation and corruption was the nature of all human institutions; and the only palliative, a frequent recurrence to the fundamental and absolute authority of the popular voice.

It was a constant and hearty allegiance to this great principle of the age in which we live, that distinguished the career of Mr. Macon. It is impossible to suggest a single deformity in the completeness of his democratic character. The silly and ostentatious pretensions of wealth commanded nothing but his contempt—and even the pomp and circumstance which legitimate power too often affects, only contributed to nerve him in his advocacy of the supremacy of the people. Throughout his whole political life, we find him ever the unflinching antagonist of those boasted *conservative powers* of the Federal Government; which, say what *we* will, are the disguises of monarchy, to retrench and abridge which is the most sacred duty of the democracy of the land. The usurpations of the Supreme Court, he contended, were but the natural results of its total irresponsibility to the will of the people; an authority always despised by the pampered holders of perpetual offices with perpetual salaries. The corrupt legislation of Congress he ascribed to the six years independence of the Senate, and the two years holy-day of the representatives of the people—and he hesitated not openly to assert the theory, that annual elections would enlighten as well as purify the "united wisdom" of the nation. These principles Mr. Macon applied, not only to the action of the General Government, but to the authorities of North Carolina, bringing them down even to the municipal regulations of the county in which he lived. He proclaimed at his fireside, at the court-yard of Warren, and in the Convention of the State, that when annual elections ceased, the liberty of the people was no longer safe,—and he left an impressive warning to his country, in assigning, as the only reason for his vote against the Constitution of North Carolina, in 1835, that it annihilated annual elections.

In his domestic habits, Mr. Macon was essentially an affectionate man. He had none of that moroseness at the fireside, which too

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often accompanies great political distinction; and even in the government of his slaves, he was the kindest and most beloved of masters. No man was ever more revered by those who knew him best. And when, as was, however, but seldom his habit, he visited his friends and relatives, it was beautiful to observe the warm, cordial love, with which even the children of their house would greet and caress him. He was a man of the tenderest sensibilities, and of the strongest and most endearing affection. How completely he entwined himself about the hearts of his friends, let the last memorial of the ascetic Randolph attest. He paid back to his friends, however, from the warmth of his own heart, every tribute of affection yielded to him. And, although he did not vaunt himself upon his good deeds, the writer of this article could here, were it necessary, record a long list of charities, ever active, though unostentatious, and munificent, because they were always useful.

AUTUMN.

Sweet summer with her flowers has passed,—
  I hear her parting knell;
I hear the moaning fitful blast
  That brings her sad farewell.

But while she fades and dies away,
  In rainbow hues she glows,
Like the last smile of parting day,
  Still brightening as it goes.

The robin whistles clear and shrill;
  Sad is the cricket's song;
The wind, wild rushing o'er the hill,
  Bears the dead leaf along.

I love this sober, solemn time,
  This twilight of the year;
To me sweet spring, in all her prime,
  Was never half so dear.

While death has set his changing seal
  On all that meets the eye,
'Tis rapture then within to feel
  The soul that cannot die.

E. L. Follen.

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THE CONSTITUTION OAK.*

On a valley's gentle bosom,
In a lovely Western isle,
Which sweetly, o'er Atlantic's waves,
Returns fair Georgia's smile;
Proud o'er its leafy comrades,
To dare the fiercest storm,
As the forest-king, a giant Oak,
Upreared its stately form.

Its branches toward the heavens,
Its roots to the heart of earth,
Towered and sank, like those mammoth growths
Of creation's elder birth.
Such growth as the world knows only
In the young land of the free,
Where it seems to read in these noble forms
What man too there may be.

'Mid the forest's startled echoes,
'Neath the axe's long-plied stroke,
Lo, with a hurtling thunder sound,
Fallen that mighty Oak!
No more it rears its regal head,
Yet, wood-nymph, mourn thou not,
For in freedom's cause, on the free wild waves,
It shall bear a glorious lot!

* * * * *

'Twas a sight to stir the spirit,
And ten thousand hearts beat high,
While from ten thousand voices
A glad shout rent the sky,
As from her yielding fast'nings
Launched forth to the heaving tide,
Floated a noble frigate,
In her beauty and her pride.

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* The first tree that was felled for the building of the frigate Constitution, was a noble oak, on St. Simon's Island, off the mouth of the Alatamaha river, Georgia. The stump of the tree is a well known object of interest on the spot, by the name of the Constitution Oak. It is stated that the keel of the vessel was laid from that tree. A laurel tree has, by a happy instinct of nature, sprung up out of the hollow centre of the decayed trunk.

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Her crew—God ever speed them!—
  Columbia's gallant tars;
The flag, above them waving,
  Their country's stripes and stars;
Her cause, its CONSTITUTION,
  —And her name the watchword spoke—
Her frame from that country's forests,
  Her keel from the Island Oak.

How fared the gallant vessel,
  On her trackless ocean path,
When many a fearful hour
  Howled the wild tempest's wrath?
Staunch were those massive timbers,
  Stout were those hearts and brave,
And a nation's blessing followed her,
  As she bounded o'er the wave.

And say, how did she bear her
  In the battle's wilder storm,
When the broadside's crashing thunders
  Burst from her quivering form?
When from the smoke-cloud's bosom,
  That stifled the gasping breath,
Fast flashed its lurid lightnings,
  With every gleam a death?

When o'er the dabbled deck,
  And down the shattered side,
From many a noble heart
  Streamed warm the life-blood's tide;
While still o'er din of shot and stroke
  Fierce shouts of battling men
Yet louder rang—oh say, how sped
  The gallant vessel then?

Those Stripes—did foeman's hand
  E'er lower their proud streaming?
Those Stars—did ever cloud of shame
  Sully their glorious beaming?
Answer, her country's annals,
  On whose brightest page is told,
How thrice she humbled the tyrant might
  Of the Ocean-Queen of old!

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Answer, the shouts of welcome,
  That rang o'er shore and sea,
When thrice she sought her haven
  In her pride of victory!
Answer, the thrill which still can warm,
  With a glow of patriot flame,
A nation's heart when the tale is told
  Of the "Constitution's" fame!

* * * * *

Many a year has circled
  In peace o'er that fair land,
And Freedom hath her blessings there
  Showered with bounteous hand,
Since died the last dull echo
  Of the battle-thundering gun,
And our liberty's last struggle
  On land and sea was won.

Old Ironsides yet nobly
  Her flag bears o'er the main,
—Oh, ne'er o'er scene of strife and blood,
  May those bright folds wave again!—
But should another foe assail
  Her country's rights and laws,
She'll bear it still as gloriously,
  In the same glorious cause.

And now, on that valley's bosom,
  If your step would seek the spot
Where the old gray stump is mouldering,
  Of that Oak—'tis not forgot.
Right up from out its aged heart
  Behold! will greet your eye
A brave young *Laurel*, gallantly
  Springing towards the sky.

No hand of man hath ever
  Planted that Laurel there,
But the wild wind bore the glorious germ
  Free through the pathless air.
And oh, ever be bright that dark green leaf,
  Which thus from that dead trunk broke,
To wreathe with a fadeless crown of fame
  The old Constitution Oak!

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THE TOLL-GATHERER'S DAY,

A SKETCH OF TRANSITORY LIFE.

By the Author of "Twice-told Tales."

METHINKS, for a person whose instinct bids him rather to pore over the current of life, than to plunge into its tumultuous waves, no undesirable retreat were a toll-house beside some thronged thoroughfare of the land. In youth, perhaps, it is good for the observer to run about the earth—to leave the track of his footsteps far and wide—to mingle himself with the action of numberless vicissitudes—and finally, in some calm solitude, to feed a musing spirit on all that he has seen and felt. But there are natures too indolent, or too sensitive, to endure the dust, the sunshine, or the rain, the turmoil of moral and physical elements, to which all the wayfarers of the world expose themselves. For such a man, how pleasant a miracle, could life be made to roll its variegated length by the threshold of his own hermitage, and the great globe, as it were, perform its revolutions and shift its thousand scenes before his eyes without whirling him onward in its course. If any mortal be favored with a lot analogous to this, it is the toll-gatherer. So, at least, have I often fancied, while lounging on a bench at the door of a small square edifice which stands between shore and shore in the midst of a long bridge. Beneath the timbers ebbs and flows an arm of the sea; while above, like the life-blood through a great artery, the travel of the north and east is continually throbbing. Sitting on the aforesaid bench, I amuse myself with a conception, illustrated by numerous pencil-sketches in the air, of the toll-gatherer's day.

In the morning—dim, gray, dewy summer's morn—the distant roll of ponderous wheels begins to mingle with my old friend's slumbers, creaking more and more harshly through the midst of his dream, and gradually replacing it with realities. Hardly conscious of the change from sleep to wakefulness, he finds himself partly clad and throwing wide the toll-gates for the passage of a fragrant load of hay. The timbers groan beneath the slow-revolving wheels; one sturdy yeoman stalks beside the oxen, and peering from the summit of the hay, by the glimmer of the half-extinguished lantern over the toll-house, is seen the drowsy visage of his comrade, who has enjoyed a nap some ten miles long. The toll is paid—creak, creak, again go the wheels, and the huge hay-mow vanishes into the morning mist. As yet, nature is but half awake, and familiar objects appear visionary. But yonder, dashing from the shore with a rattling thunder of the wheels and a confused clatter of hoofs,

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comes the never-tiring mail, which has hurried onward at the same headlong, restless rate, all through the quiet night. The bridge resounds in one continued peal as the coach rolls on without a pause, merely affording the toll-gatherer a glimpse at the sleepy passengers, who now bestir their torpid limbs, and snuff a cordial in the briny air. The morn breathes upon them and blushes; and they forget how wearily the darkness toiled away. And behold now the fervid day, in his bright chariot, glittering aslant over the waves, nor scorning to throw a tribute of his golden beams on the toll-gatherer's little hermitage. The old man looks eastward, and (for he is a moralizer) frames a simile of the stage-coach and the sun.

While the world is rousing itself we may glance slightly at the scene of our sketch. It sits above the bosom of the broad flood, a spot not of earth, but in the midst of waters, which rush with a murmuring sound among the massive beams beneath. Over the door is a weather-beaten board inscribed with the rates of toll, in letters so nearly effaced that the gilding of the sunshine can hardly make them legible. Beneath the window is a wooden bench, on which a long succession of weary wayfarers have reposed themselves. Peeping within doors, we perceive the whitewashed walls bedecked with sundry lithographic prints and advertisements of various import, and the immense show-bill of a wandering caravan. And there sits our good old toll-gatherer, glorified by the early sunbeams. He is a man, as his aspect may announce, of quiet soul, and thoughtful, shrewd, yet simple mind, who, of the wisdom which the passing world scatters along the wayside, has gathered a reasonable store.

Now the sun smiles upon the landscape, and earth smiles back again upon the sky. Frequent, now, are the travellers. The toll-gatherer's practised ear can distinguish the weight of every vehicle, the number of its wheels, and how many horses beat the resounding timbers with their iron tramp. Here, in a substantial family chaise, setting forth betimes to take advantage of the dewy road, come a gentleman and his wife, with their rosy-cheeked little girl sitting gladsomely between them. The bottom of the chaise is heaped with multifarious band-boxes and carpet bags, and beneath the axle swings a leathern trunk, dusty with yesterday's journey. Next appears a four-wheeled carryall, peopled with a round half dozen of pretty girls, all drawn by a single horse, and driven by a single gentleman. Luckless wight, doomed, through a whole summer day, to be the butt of mirth and mischief among the frolicksome maidens! Bolt upright in a sulkey rides a thin, sour-visaged man, who, as he pays his toll, hands the toll-gatherer a printed card to stick upon the wall. The vinegar-faced traveller proves to be a manufacturer of pickles. Now paces slowly from timber to timber a horseman clad in black, with a meditative brow, as of one who, whithersoever

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his steed might bear him, would still journey through a mist of brooding thought. He is a country preacher, going to labor at a protracted meeting. The next object passing townward is a butcher's cart, canopied with its arch of snow-white cotton. Behind comes a 'sauceman,' driving a wagon full of new potatoes, green ears of corn, beets, carrots, turnips, and summer squashes; and next, two wrinkled, withered, witch-looking old gossips, in an antediluvian chaise drawn by a horse of former generations, and going to peddle out a lot of huckleberries. See there, a man trundling a wheelbarrow load of lobsters. And now a milk cart rattles briskly onward, covered with green canvass, and conveying the contributions of a whole herd of cows, in large tin canisters. But let all these pay their toll and pass. Here comes a spectacle that causes the old toll-gatherer to smile benignantly, as if the travellers brought sunshine with them and lavished its gladsome influence all along the road.

It is a barouche of the newest style, the varnished panels of which reflect the whole moving panorama of the landscape, and show a picture, likewise, of our friend, with his visage broadlined, so that his meditative smile is transformed to grotesque merriment. Within sits a youth, fresh as the summer morn, and beside him a young lady in white, with white gloves upon her slender hands, and a white veil flowing down over her face. But methinks her blushing cheek burns through the snowy veil. Another white-robed virgin sits in front. And who are these, on whom, and on all that appertains to them, the dust of earth seems never to have settled? Two lovers, whom the priest has blest this blessed morn, and sent them forth, with one of the bridemaids, on the matrimonial tour. Take my blessing too, ye happy ones! May the sky not frown upon you, nor clouds bedew you with their chill and sullen rain! May the hot sun kindle no fever in your hearts! And when you shall have reached the close of that journey of life, on which you are thus brightly entering, hand grasped in hand, and heart folded to heart, may you lie down together to as sweet and happy a repose, as that queer parting smile on our good old friend's face seems to invoke for you, at the close of this day's travel, its first happy stage!

They pass; and ere the reflection of their joy has faded from his face, another spectacle throws a melancholy shadow over the spirit of the observing man. In a close carriage sits a fragile figure, muffled carefully, and shrinking even from the mild breath of summer. She leans against a manly form, and his arm enfolds her, as if to guard his treasure from some enemy. Let but a few weeks pass, and when he shall strive to embrace that loved one, he will press only desolation to his heart.

And now has morning gathered up her dewy pearls, and fled away. The sun rolls blazing through the sky, and cannot find a cloud to

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cool his face with. The horses toil sluggishly along the bridge, and heave their glistening sides in short quick pantings, when the reins are tightened at the toll-house. Glisten, too, the faces of the travellers. Their garments are thickly bestrewn with dust; their whiskers and hair look hoary; their throats are choaked with the dusty atmosphere which they have left behind them. No air is stirring on the road. Nature dares draw no breath, lest she should inhale a stifling cloud of dust. 'A hot and dusty day!' cry the poor pilgrims, as they wipe their begrimed foreheads, and woo the doubtful breeze which the river bears along with it. 'Awful hot! Dreadful dusty!' answers the sympathetic toll-gatherer. They start again, to pass through the fiery furnace, while he re-enters his cool hermitage, and besprinkles it with a pail of briny water from the stream beneath. He thinks within himself, that the sun is not so fierce here as elsewhere, and that the gentle air doth not forget him in these sultry days. Yes, old friend; and a quiet heart will make a dog-day temperate. He hears a weary footstep, and perceives a traveller with pack and staff, who sits down upon the hospitable bench, and removes the hat from his wet brow. The toll-gatherer administers a cup of cold water, and discovering his guest to be a man of homely sense, he engages him in profitable talk, uttering the maxims of a philosophy which he has found in his own soul, but knows not how it came there. And as the wayfarer makes ready to resume his journey, he tells him a sovereign remedy for blistered feet.

Now comes the noon-tide hour—of all the hours, nearest akin to midnight; for each has its own calmness and repose. Soon, however, the world begins to turn again upon its axis, and it seems the busiest epoch of the day; when an accident impedes the march of sublunary things. The draw being lifted to permit the passage of a schooner, laden with wood from the eastern forests, she sticks immoveably, right athwart the bridge! Meanwhile, on both sides of the same, a throng of impatient travellers fret and fume. Here are two sailors in a gig, with the top thrown back, both puffing cigars, and swearing all sorts of for'c'stle oaths; there, in a smart chaise, a dashingly dressed gentleman and lady, he from a tailor's shop-board, and she from a milliner's back room—the aristocrats of a summer afternoon. And what are the haughtiest of us, but the ephemeral aristocrats of a summer's day? Here is a tin-pedler, whose glittering ware bedazzles all beholders, like a travelling meteor, or opposition sun; and on the other side, a seller of spruce beer, which brisk liquor is confined in several dozen of stone bottles. Here come a party of ladies on horseback, in green riding-habits, and gentlemen attendant; and there a flock of sheep for the market, pattering over the bridge with a multitudinous clatter of their little hoofs. Here a Frenchman, with a hand-organ on his shoulder; and there an itinerant Swiss jeweller. On this side, heralded by a blast of clarions and bugles,

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appears a train of wagons, conveying all the wild beasts of a caravan; and on that, a company of summer soldiers, marching from village to village on a festival campaign, attended by the 'brass band.' Now look at the scene, and it presents an emblem of the mysterious confusion, the apparently insolvable riddle, in which individuals, or the great world itself, seems often to be involved. What miracle shall set all things right again!

But see! the schooner has thrust her bulky carcass through the chasm; the draw descends; horse and foot pass onward, and leave the bridge vacant from end to end. "And thus," muses the toll-gatherer, "have I found it with all stoppages, even though the universe seemed to be at a stand." The sage old man!

Far westward now, the reddening sun throws a broad sheet of splendor across the flood, and to the eyes of distant boatmen gleams brightly among the timbers of the bridge. Strollers come from the town to quaff the freshening breeze. One or two let down long lines, and haul up flapping flounders, or cunners, or small cod, or perhaps an eel. Others, and fair girls among them, with the flush of the hot day still on their cheeks, bend over the railing and watch the heaps of sea-weed floating upward with the flowing tide. The horses now tramp heavily along the bridge, and wistfully bethink them of their stables. Rest, rest, thou weary world! for to-morrow's round of toil and pleasure will be as wearisome as to-day's has been; yet both will bear thee onward a day's march of eternity. Now the old toll-gatherer looks seaward, and discerns the light-house kindling on a far island, and the stars, too, kindling in the sky, as if but a little way beyond; and mingling reveries of Heaven with remembrances of earth, the whole procession of mortal travellers, all the dusty pilgrimage which he has witnessed, seems like a fitting show of phantoms for his thoughtful soul to muse upon.

THE WORTH OF WOMAN.

FROM THE GERMAN OF SCHILLER.

Ehret die Frauen.

Honored be woman! she beams on the sight,
Graceful and fair, like a being of light;
Scatters around her, wherever she strays,
Roses of bliss o'er our thorn-covered ways;
Roses of Paradise, sent from above,
To be gathered and twined in a garland of Love.

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Man, on Passion's stormy ocean,
  Tossed by surges mountains high,
Courts the hurricane's commotion,
  Spurns at Reason's feeble cry.
Loud the tempest roars around him,
  Louder still it roars within;
Flashing lights of hope confound him,
  Stuns him life's incessant din.

Woman invites him, with bliss in her smile,
To cease from his toil, and be happy a while;
Whispering wooingly—come to my bower,—
Go not in search of the phantom of power—
Honor and wealth are illusory,—come!
Happiness dwells in the temples of Home.

Man, with fury stern and savage,
  Persecutes his brother man;
Reckless if he bless or ravage,
  Action—action—still his plan.
Now creating—now destroying—
  Ceaseless wishes tear his breast;—
Ever seeking—ne'er enjoying—
  Still to be—but never blest.

Woman, contented in silent repose,
Enjoys in its beauty life's flower as it blows,
And waters and tends it with innocent heart;
Far richer than man with his treasures of Art,
And wiser by far in her circle confined,
Than he with his science, and flights of the mind.

Coldly to himself sufficing,
  Man disdains the gentler arts;
Knoweth not the bliss arising
  From the interchange of hearts.
Slowly through his bosom stealing,
  Flows the genial current on,
Till, by age's frost congealing,
  It is hardened into stone.

She, like the harp, that instinctively rings,
As the night-breathing zephyr soft sighs on the strings,
Responds to each impulse with ready reply,

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Whether sorrow or pleasure her sympathy try;
And tear drops and smiles on her countenance play,
Like sun-shine and showers of a morning of May.

Through the range of man's dominion
Terror is the ruling word—
And the standard of opinion
Is the temper of the sword.
Strife exults, and Pity, blushing,
From the scene despairing flies,
Where, to battle madly rushing,
Brother upon brother dies.

Woman commands with a milder control—
She rules by enchantment the realm of the soul.
As she glances around in the light of her smile,
The war of the Passions is hushed for a while—
And Discord, content from his fury to cease,
Reposes entranced on the pillows of peace.

MEXICAN ANTIQUITIES

OF

PALENQUE AND MITLAN, IN THE PROVINCES OF CHIAPA AND OAXACA.

The continent of America has, by common consent, received and retained the appellation of the New World. Applied to the discovery of the Genoese navigator, the distinction may be appropriate; but, as is indicated by the title of this article, it ceases to be correct when predicated of the country itself.

The advances of the first conquerors into the newly discovered territory, revealed at each step striking evidences of a system of polity manifestly the result of civilization and time. Through the shadowy mists of the story of Anahuac could be traced the tradition of a long line of powerful kings. To the inherent obscurity which wraps the *cunabula gentium*—the cradle of nations—at their birth, was added the two-fold darkness of ignorance and superstition. The missionaries who followed in the rear of invasion, urged by a misguiding enthusiasm in the cause of religion and the service of God, laid a barbarian hand on the annals of the primitive population, and doomed them, in the blindness of their zeal, to irrevocable destruction. The tradi-

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tions of the pilgrimage of the Chichimecas, the memory of the gorgeous rulers of Anahuac, and the records of the migrations of the Aztecs, were fading in the shadows of the past; the last vestiges of their passage and dwelling-place on the earth were fast wearing away; when, in the middle of the last century, a caravan of travellers, lost in the vast solitudes of Yucatan, alighted on the deserted ruins of an immense city near the town of Palenque. The discovery of these ruins, covering an area of twenty miles in length and six in breadth, immediately roused the attention of the scholar and the antiquarian. Antonio del Rio, commissioned by a decree of the king of Spain, commenced the exploration of the remains of the Palencian city; but the interest of science, yielding to weightier matters, the fruits of his investigations remained, for a long period, buried in the archives of Mexico. In the years 1805, 1806, and 1807, the king of Spain ordered a second exploring expedition on a more extensive and generous scale. These interesting ruins, revisited and described by Dupaix, and sketched by Castaneda, present singularly striking analogies with the oldest remains of Phœnician arts and Egyptian architecture. Approximative calculations, amounting to all but certainty, and based principally on the age of the gigantic trees that have overgrown the ruins, and stricken their roots into the wrecks of this nameless and perished population, would carry its origin as far back as twenty centuries at least. Independently of these mere inferential proofs, there are others, drawn from a great number of ancient monuments, restored to light in the course of the exploration; almost all of which are of direct importance as collateral evidences of remote antiquity and comparative civilization. Among these, the drawings exhibit workman-like aqueducts—cyclopean bridges—pyramids of brick and stone, of a peculiar character—*tumuli* of the most varied and imposing forms—subterranean sepulchres, arched and vaulted with architectural precision—idols of granite and porphyry—colossal *bassi-rilievi*, sculptured in marble, granite, and stone, or skilfully modelled in stucco—fragments of zodiacs, accompanied by glyphs, different from the hieratic writings of Egypt, though evidently similar in their origin and intent. These monuments—unknown to Europe and to our own country, until a comparatively recent period—prove, in their crumbling state, an antiquity much anterior to the people of Moctezuma. They are worthy of the speculations of the learned world, as impressive testimonials of the existence and disappearance of once flourishing nations, whose unrecorded annals have left a vast and deplorable chasm in the history of mankind.

It is true, that we possess many an erudite dissertation, both in Europe and America, on the probable knowledge which the ancients might have had of this continent; but we recollect no where to have seen a complete enumeration of the texts, or other original documents, calculated, if not to insure a solution, to facilitate, at least,

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the investigation of this highly interesting question. Though it be impossible to examine, within the narrow compass of this article, and with the necessary fullness of development, so momentous a problem of history and ethnography, still these pages will be found as a not untimely introduction to the great collection of Mexican antiquities with which the world of science has lately been enriched, by the persevering energy and ingenious researches of a trinity of *savans*, among whom we are proud to number our own countryman, Warden, late American Consul-general for France. To point out, among the preliminary data which may enhance the interest of the work, those most deserving of the attention of the scholar, seems to us, and it is intended, to be an indirect homage to the devotedness with which they have assumed and completed their arduous task.

We might open our investigations with the *Antichthones* of the Pythagorean school; but so limited and uncertain is our knowledge of that system, especially in its bearing on the doctrine of the antipodes, that it were better to leave the exposition of the opinions of Philolaûs, on that subject, undisfigured by any modern and fruitless attempt to explain them. It is scarcely necessary, for a contrary reason, to refer to Plato's Atlantis—that Egyptian tradition, which has given birth to many a learned volume. It is sufficient for our purpose to mention that he relates, in the Timæus, (*) that the kings of that vast island, lying opposite to the columns of Hercules, after crossing the Atlantic sea, the waters of which were then navigable, possessed themselves of a portion of Europe and Africa, and progressed unchecked in the invasion until repelled by the Athenians, whom the prince of philosophers hails as the saviours of the other nations of Greece, charging the latter with forgetful ingratitude. "The course of ages," adds Critias, "brought on the inevitable hour, the disastrous night, when, amid the quakings of the earth, and the swellings of the sea, all the warriors of Athens were swallowed up by the earth; and the billows covered the Atlantic isle forever more. To this day that part of the ocean is inaccessible, and cannot be explored; and the mud of the sunken continent checks the mariner that would visit its shores." (†) This is the narrative that old Critias had by tradition from Solon, who held it from the priests of Saïs. We learn from Proclus, in his scholia on the *Timæus*, that Plato himself had read this account in the hieroglyphics of the Egyptian columns; and Iamblichus adds that they were consecrated to Hermes Trismegistus. (‡) It is generally admitted that this tradition may not be entirely fabulous; that the sunken island which Critias describes may have stood in the Atlantic

(*) Plat. Tim. p. 25, sec. a, Ed. Steph.
(†) Ibid, p. 26, sec. a.
(‡) Proclus in *Timæum*, quoted by Cousin, in his exposition of the Platonic system.

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ocean; and that the group of the Canaries is the only memorial of its existence.

When, in connexion with this testimony of ancient days, we read in the histories of Christoval Colon that the companions of his first voyage seeing, at a distance of twelve hundred miles westward of the Azores, the ocean mantled with thick weeds, and various plants, which overlaid the deep like a liquid prairie, and even arrested the progress of their ships, fancied that they had reached the farthest bourne of the navigable waters, and that the green and moving shoals concealed a great extent of immersed lands; we cannot but instinctively recur to Plato's pages, and institute a comparison between the masses of sea-weed that appalled the *second* discoverer and the ruins of the absorbed island, which so long barred the course of the early navigators.

With the various systems devised to explain the existence of the Atlantis of Plato, from the theories of Rudbeck down to those of Bory St. Vincent, many of our readers are, no doubt, familiar. Instead, therefore, of rehearsing the clashing conjectures of authors, we will advert to one or two points of contact which they seem to have overlooked. In the first place, the name of the Atlantis is to be traced in America, without straining at an etymology, in the country called Aztlan, one of the earliest resting-places of the primitive Mexicans. (*) But there is certainly one fact connected with the topography of Mexico which we do not recollect ever to have seen insisted upon by any of the writers who have consecrated their labors to the traditions of the land of Anahuac. The ancient city of Mexico, as described by Solis, De la Vega, and Clavigero, its lakes, its admirable causeways, its channels of communication with the main land, the sluices, arranged at equal distances, and crossed by moveable bridges, the wealth and splendor which dazzled the *conquistadores*, bear a strong character of identity with the capital of the Atlantæ, mentioned in Plato's *Critias*. "The city of Mexico," says Nuñez de la Vega, (†) "is situated on a plain surrounded by mountains. The waters, rushing from the heights, collect into sundry lakes, the two largest of which have an intercommunication. On the margin of one of those lakes, and resting on some neighboring islands, the capital of Mexico was built. The city was reached by causeways of earth and stone, some thirty feet in breadth. As the lake waters overflowed the plain in the rainy season, these causeways had a considerable extent. On the eastern side there was no

(*) This is an appellation of the latter days, affixed by the *conquistadores* to the inhabitants of that portion of the new world. The migrations of the Mexicans, properly so called, may be traced with accuracy after their defeat by the Toltecas. Chichimecas, Toltecas, Anahuacs, and Aztecs, are the older and more common names of the tribes that originally inhabited the continent.

(†) *Teatro Critico de las Antigüedades*, &c. &c. *Constit Diocez.* Francisco Nuñez de la Vega, Bishop of Chiapa.

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dyke, and the city could be approached in canoes only. On each dyke there were openings, from distance to distance, and over these openings, or sluices, boards covered with earth were thrown, in the shape of bridges."

Let us now turn to the *Critias*, and read his description. We find the golden roofs of the temples, the inlaid ornaments of silver, the ritual pomp, and all the storied magnificence of the early record of the conquest, prefigured in the gorgeous pages of Plato. We cannot stop to translate the whole of the passage; but the following portions of the dialogue will suffice to exhibit an idea of the correspondence between the two. "Neptune, being allotted the Atlantic island, settled in that part of it which lay towards the sea. (*) In the middle of the island was a plain which is said to have been the most beautiful of all plains, distinguished by the fertility of its soil. Near this plain, at the distance of fifty stadia, was a low mountain. Neptune, having been captivated by the charms of the daughter of Evenor, enclosed the hill on which she dwelt with winding streams of water—the water and land alternating at the same time, and forming lesser and larger zones about each other. Those, who resided about the ancient metropolis, united by bridges the zones of the sea, which we before mentioned, and made a road both to the external parts and to the royal abode. They likewise divided by bridges those zones of the earth which separated the zones of the sea, so that with a three-benched galley they might sail from one zone to another; and the upper part of the zone they covered in such manner that they might sail under them. The trench received the streams running from the mountains, and which, flowing round the plain towards the city, were gathered together from different parts, and at length poured themselves from the trench into the sea." We do not mean that old Critias ever had a plan of Anahuac, the "place of many waters," before his eye; and the resemblance of both pictures may be entirely fortuitous; but the bare analogy seems sufficiently striking to recommend it to those who may henceforth devote their attention to American archæology. It is certainly not improbable that some Phœnician traveller, some forgotten Votan, returning to the Valum Chivim, may have disseminated through Egypt the notion of another hemisphere; and that out of such vague data Plato may have wrought the poetical description of a continent and of a people which he deemed no longer in existence. Indeed, it seems unquestionable that the *Critias* is the only dialogue which Plato has left unfinished—discouraged, as it were, by the darkness which mantled this new world from his prophetic look; and desirous to hand over its exploration, and the perfection of its description, to the energies of future and better informed ages.

(*) *Critias*, p. 49, ed. Bipont, sec. c d.

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His unpoetical disciple, Aristotle, has none of those quasi-revealings; none of the bold soarings towards worlds unknown. With the cautiousness of the logician, who admits nothing but facts, he merely states, in reference to this question, in his treatise of Heaven, "they who maintain that there is but one sea between the Columns of Hercules and India, are probably not far removed from the truth." Thanks to the authority of him whom Dante has called *il maestro di color che sanno*—the master of the human mind—that false idol before whom the world has so long bowed itself down in servile submission; this equivocal expression, India, runs throughout all ancient geography to designate these western lands. Yet why should we complain while present, and certainly better nurtured, generations still persist in the favorite nomenclature of "West Indies?"

The Alexandrian school—the trustee of some of the ideas and traditions which mystic Egypt occasionally sent forth from its hoary sanctuaries—treasured the confused reminiscence of a great land in that part of the ocean, and would not allow the legend to pass away unrecorded. Eratosthenes, three centuries before our era, held, on the sanction of Strabo, "that, were it not for the vast extent of the Atlantic ocean, it were an easy task to sail from the extremity of Iberia to India." Here, again, the name of India recurs! What could the appellation mean? We know how vague and undefined is the sense of that word among classical writers, even among the most approved geographers of antiquity. Southern Asia, Arabia, Ethiopia, and all the African provinces beyond Mount Atlas, are thus defined. It is not impossible that they may have intended to speak of India, properly so called; but the probability loses its force when it is borne in mind that Columbus himself, in directing his course to the west, believed that he was going to the East Indies; and that the nations, which he discovered, are to this day, however absurdly, known under the generic term of Indians:—these are indelible traces of error, which the systematized ignorance of the Stagyrite has substituted for the poetical dreams of Plato.

Had the books of Sanchoniatho outlived the great intellectual cataclysm of the past—were we more familiar with the antiquities of Tyre and Carthage—had posterity inherited their literary annals rudely violated and destroyed by the iron arm of conquest, we might be better qualified to account for the similarity of the Mexican and Phœnician monuments. The Greeks and Romans, whose career of discoveries was limited to the land, scarcely outsailed the basin of the Mediterranean sea. The exploring of the broad and many-waved ocean was attempted by the Punic navies alone. Not that we should expect, however, any satisfactory accounts of their maritime expeditions; for Tyre and Carthage, acting in a spirit of selfishness—of which Strabo bitterly complains, and which characterises the commercial usages of some modern nations—involved the history of

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their remote voyages, and the bearings of their ocean-tracks, in impervious secrecy. But we know, at least, that, as navigators, they far outstripped every nation of antiquity. The Carthaginians, who had achieved the periplus of Africa, would never, like Virgil, or indeed like Alexander, have confounded the Indus with the Nile. These are errors which, though not sharing in them, they perchance contributed intentionally to spread; while the more correct data of their geographical science are entirely lost to posterity.

From their conquerors, a nation of mere brutal impulses and warlike orgasm, we need not expect any assistance or light. The subjection of the three quarters of the known globe was a task which required and engrossed all the energies of Rome; and it is not probable that, with her comparatively inefficient naval power, she should have turned her attention to the discovery of Atlantic worlds. The Greeks, *humani ingenii custodes*, as Macrobius calls them, the warders of the human intellect, carried their science into exile; and, as a reward for the humiliation of conquest, were satisfied with softening the rude legionary, and bending him to the sway of the sciences and the arts. Cicero, on the authority of Grecian sophists, casually alludes to the Antipodes. Under the reign of Augustus, in addition to several passages of Strabo, which it were neither entertaining nor instructive to analyse, Diodorus Siculus describes, in a turgid and highly rhetorical style, a vast and fertile island which he places in the west, opposite the African shore; the discovery of which he attributes to the Phœnicians, who expelled their sea rivals, the Etruscans, from its rich fields, and reserved it as a refuge-spot at some future day of calamity. (*) It is to be regretted that this description of Diodorus is, measurably, but a mere copy of Plato's *Critias*. But Perizonius, the scholar's oracle, in matters of archæological controvesy, in one of his notes on Ælian—who quotes on the same subject a fantastic account given by Theopompus—does not hesitate to admit the identity of America with the Atlantic land. (†)

Under Claudius, Pomponius Mela, the geographer, was probably the mere echo and translator of the Greek authorities, when asserting that "all the habitable globe has the same seasons, though at different periods. The Antichthones inhabit one half of it; and we the other half. The former being unknown to us, on account of the torrid zone, which separates us; I shall be content to describe our

(*) Diod. Sic. Lib. v. Cap. 19 and 20.

(†) Nullus tamen dubito, quin veteres aliquid sciverint, sed quasi per nebulam et caliginem, de Americâ, partim ex antiquâ traditione, ab Ægyptiis vel Carthaginiensibus acceptâ, partim ex ratiocinatione de formâ et situ orbis terrarum, unde plane colligebant superesse in hoc orbe etiam alias terras præter Asiam, Africam, et Europam. Perizonii in Æl. Var. His. An.

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own hemisphere." In another place he speaks of Indians—*Indi*—driven on the shores of Germany. Were they *Indians* from the other side of the ocean; or, as some have thought, Laplanders from the north? Pliny the elder, who also admits the existence of the Antipodes, does not stop to inquire into the position of the lands beyond the western waters. Thule is, to him, the last, farthest boundary of the earth. And yet this notion of another hemisphere must have long kept its hold on the convictions of antiquity; for St. Clemens, an immediate disciple of the Apostles, writes in his first epistle to the Corinthians: "The impervious ocean—ὠκεανὸς ἀπέραντος—and the lands beyond it obey the laws of the same God." (*) Seneca breathed a hope that this ocean might one day be crossed. The chorus of the second act of the Medea is as explicit as any of the passages to which we have alluded. And it is well known that its closing prophesy disdains the fatal bourne of Thule, and foretells the discovery of an unknown world. It were not irrelevant here to mention, that since the year 1492, the Spaniards have referred, with something like national pride, to the lyrics of their countryman, the poet of Corduba, which they look upon as a miraculous prediction of the new hemisphere, discovered by their ships, and conquered by their arms.

But there is another of Seneca's texts, less vulgarised and less frequently quoted; yet which does not the less deserve attention. It occurs in the first book of his Natural Questions. "The philosopher," says he, "despises the narrow bounds of his earthly home. And, indeed, how much time is required to go from the western extremity of Spain to India? A very few days, if the wind be but fair". (†) It is not improbable that he alludes to the Canaries—the *Insulæ beatæ*—the islands of the blest, as they were then called, where Sertorius had an intention of settling; and which the ignorance of the Romans, in every kind of maritime geography, might have designated by the words *usque ad Indos*. The hypothesis assumes a greater probability in view of the fact, that they designated as Indians almost all the unknown nations of the earth. Baron de Zach, in his astronomical correspondence, for the year 1826, construes the sentence of Seneca into a proof that America was frequently visited from Spain. (‡) It were not altogether irrational to suppose that Spain, long subjected to Punic domination, had once possessed, and still retained, the secret of the Carthaginian mariners.

Some time after Seneca, who had an opportunity of seeing—and who has in fact described one of the earthquakes of Herculanēum

(*) Fabricius. Apocryph. Cod. Epist. Sti. Clementis.
(†) Natur. Quest. Lib. i Cap. iii.
(‡) Bulletin des Sciences et des Arts. Sect. Astron. Paris, 1827.

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and Pompeii—both those cities were, under the reign of Titus, destroyed by an eruption of Vesuvius. The excavation of the ruins has been progressing since the middle of the last century. A beautiful painting, dug out of the remains of Pompeii, in 1833, may not be unconnected with this question, or foreign to the presentiment, if not the knowledge, of another hemisphere. The three quarters of the olden world are typified in the painting;—Europe under the form of a richly attired queen seated on a throne—Asia, by a woman clad in an elephant's hide, with its trunk and tusks—Africa, by an Æthiopian maiden, protected by a crocodile. The last two are standing on the right and left of Europe; and they seem to await the behest of a sovereign. Behind the three figures, a shadowy bark, under full sail, is stretching off in a western direction. What is the mission of this vessel, rashly detached from the group, and rushing excursive out of the circle inscribed by the geographers of the day? Had the adventurers, that mounted her, heard of some nameless shore—some unvisited land, the far off limit of the billows, which they dared; or of the western ocean, long known to antiquity as the Dark Sea? Was it, perchance, the intention of the artist to indicate, by this sailing wide of the old sea-tracks, that if this fourth and unknown region could not be pictured, it might, at least, be the object of research? These questions were vexed by the learned interpreters of the museum of Naples, who, on the redemption of the painting, unanimously proclaimed it to be an allegory. (*) Did they successfully unfold this apocalypse of the past? Is there any likelihood in their very ingenious speculations? As the ancient history of the new world is involved in doubt, we leave it to time, or to some further and unexpected discovery, to confute or substantiate the accuracy of the explanation.

But to return to our glimpses of authority. Apuleius, under the Antonines, translated into the Latin language a treatise on cosmogony, which was attributed to Aristotle; but which later criticism, assisted by a more enlightened philology, has assigned to a more recent period than the days of the Stagyrite. Be this as it may—from the fact, that the authorship of the work was questionable, under the Antonines, it is evident that the original existed long before that era. Now the Greek text, faithfully translated by Apuleius, affirms that there are other continents, like those formed by Europe, Asia, and Africa. "The most part," says the author, "view the terrestial globe as a continent, with its islands, not knowing, no doubt, that all the earth, surrounded by the Atlantic ocean, is but an island itself, with all its islands. And we think, that afar off—*remotis regionibus*—many other islands, some similar to our world, and others

(*) *Saggio intorn allo discoprimento d'un quadro Pompejano.* Naples, 1833; Biblioteca Italiana, and quoted by Raoul. Rochette—Comparative Archæology.

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larger or smaller, might be found, the shores of which are *antiporthmoi*—opposite to our own "Is it astonishing," adds Apuleius, "that we should not know them, when we have not been able entirely to explore that portion of the globe on which we live?" The spherical form of the world was known, at least admitted; and the expression, *orbis terrarum*, the globe of the earth, was in daily use among the ancients. Can it be a matter of surprise or doubt, that they should have attempted to explore the other hemisphere? Could it be believed that it was concealed beneath the waves of the ocean—the recesses of the ἀτρυγετοὶο Θαλάσσης—the barren sea, as Homer calls the deep? Proclus—who, in common with the other neo-Platonists, allegorically explains the Atlantis—is compelled to acknowledge in his magnificent commentary on the *Timæus*, that if the earth be a spheroid, there must be a continent similar to that of Europe in the great ocean;—a strong and powerful sample of inductive reasoning, vainly controverted by St. Austin, Lactantius, and the Popes, with a view to guard the integrity of Holy Writ. It was an argument that had not escaped the eagle penetration of Aristotle; and which, repeated by Proclus, Macrobius, Marcianus Capella, in the fifth century, became, in the fifteenth, the war-cry of Columbus; and, in the hands of this "*nudo nocchier, promettitor di regni*,"—this ragged pilot, promiser of realms—assumed the form of an invincible enthymem, with which he battered the sophistry of monks, and secured the patronage of Isabella for his scheme.

As the scope of these pages is to collate, and that in a summary manner, whatever was known or fancied of our hemisphere by Grecian and Roman antiquity, it is not relevant to our purpose to inquire whether the Chinese visited America in the latter half of the fifth century of our era. Neither is it our province to ascertain who was the white and bearded man, dressed in the dark sacerdotal robe—Quetzalcoalt—whom the Mexicans traditionally revered; nor to follow the Northmen to the coast of Greenland, whence they penetrated through the interior to the southwest; (*) nor to trace the maritime expeditions of the Arabs to the west, during their domination in Spain. Still less profitable would it be to attempt building up the unwritten history of the colony supposed, in the twelfth century, to have been led in the same direction by Madoc of Wales: or to compare the Italian traditions of Andrea Bianco, of Venice, with the pretensions in favor of Marten Behain, of Nurembergh, and of his far-famed model of the globe, on which, before the close of the fifteenth century, he had traced out, not the route of Christoval

(*) Duchesne *de Gestis Normannorum*, Vol. ii. p. 435. Thomas Gale, *Histor. Anglo-danicæ Scriptores.* in fol. Oxford, 1683. *Memoires de l'Acad. des Inscrips. et des Belles Letters.* t. 12. *partie Historique.*

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Colon, as maintained by some, but a few unknown islands of the Atlantic sea. We shall barely advert to the ancient statue of the Azores, immutably fixed, and pointing with extended finger to the west. The view of the question which we have undertaken to examine, is sufficiently vast in itself; and the learned are yet far from having entirely fathomed its mysteries. In this, as in many other questions, the love of the marvellous, together with a credulous curiosity, thickens the mist which time has cast around the sterner truth of history. Some travellers have thought, and candidly no doubt, that they had identified Phœnician, and even Greek, characters on many of the Mexican ruins. The year, the very day, in which the Tyrian Hercules landed in America, has been settled upon. The migration of the first colony, from Valum Chivim, under the guidance of Votan, the Hivite,—Cabrera, among others, places in the four hundred and sixty-fourth year of the foundation of Rome, two hundred and ninety-one years before the advent of Christ. Others are satisfied that they have discovered, on the coast of Guatemala, unquestionable remains of Roman aqueducts. It may be, that at some, not distant, day, latin inscriptions will be discovered in Palenque and Mitlan, similar to those which English travellers have lately transcribed from Nubian monuments: *L. Trebonius, hic fui: C. Numenius, hic fui.* Until this be the case, we must be content with ascertaining whether the Mexican antiquities, the material authenticity of which, at least, is not questioned; whether their pyramids and bridges, their statues and reliefs, their palaces and fanes, designed and described in many an almost forgotten volume, furnish any evidence equivalent to the decisive testimony of such inscriptions. A future number will be devoted to the examination of the fragments of art, reclaimed by Del Rio, Dupaix, and Castaneda.

PALESTINE.

BY J. G. WHITTIER.

Blest land of Judea! thrice hallowed of song,
Where the holiest of memories pilgrim-like throng;
In the shade of thy palms, by the shores of thy sea,
On the hills of thy beauty, my heart is with thee!

With the eye of a spirit, I look on that shore,
Where pilgrim and prophet have lingered before;
With the glide of a spirit, I traverse the sod
Made bright by the steps of the angels of God.

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Blue sea of the hills! in my spirit I hear
Thy waters, Genasseret, chime on my ear;
Where the Lowly and Just with the people sat down,
And thy spray on the dust of his sandals was thrown.

Beyond are Bethulia's mountains of green,
And the desolate hills of the wild Godarene;
And I pause on the goat-crags of Tabor to see
The gleam of thy waters, oh dark Gallilee!

Hark, a sound in the vallies! where, swollen and strong,
Thy river, oh Kishon, is sweeping along;
Where the Canaanite strove with Jehovah in vain,
And thy torrent grew dark with the blood of the slain.

There, down from his mountains stern Zebulon came,
And Naphtali's stag, with his eye-balls of flame,
And the chariots of Jabin rolled harmlessly on,
For the arm of the Lord was Abinoam's son!

There sleep the still rocks and the caverns which rang
To the song which the beautiful Prophetess sang,
When the Princes of Issachar stood by her side,
And the shout of a host in its triumph replied.

Lo! Bethlehem's hill-site before me is seen,
With the mountains around, and the vallies between;
There rested the shepherds of Judah, and there
The song of the angels rose sweet on the air.

And Bethany's palm-trees in beauty still throw
Their shadows at noon on the ruins below;
But where are the sisters who hastened to greet
The lowly Redeemer, and sit at his feet?

I tread where the TWELVE in their wayfaring trod;
I stand where they stood with the CHOSEN OF GOD!
Where his blessing was heard, and his lessons were taught,
Where the blind were restored, and the healing was wrought.

Oh, here with his flock the sad Wanderer came,
These hills he toiled over in grief are the same—
The founts where he drank by the wayside still flow,
And the same airs are blowing which breathed on his brow.

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And throned on her hills sits Jerusalem yet,
But with dust on her forehead, and chains on her feet:
For the crown of her pride to the mocker hath gone,
And the holy Shechinah is dark where it shone!

But wherefore this dream of the earthly abode
Of Humanity clothed in the brightness of God?
Were my spirit but turned from the outward and dim,
It could gaze, even now, on the presence of Him!

Not in clouds and in terrors, but gentle as when
In love and in meekness he moved among men;
And the voice which breathed peace to the waves of the sea,
In the hush of my spirit would whisper to me!

And what if my feet may not tread where He stood,
Nor my ears hear the dashing of Gallilee's flood,
Nor my eyes see the cross which He bowed him to bear,
Nor my knees press Gethsemane's garden of prayer.

Yet, Loved of the Father, thy spirit is near
To the meek, and the lowly, and penitent here;
And the voice of thy love is the same even now,
As at Bethany's tomb, or on Olivet's brow,—

Oh, the outward hath gone!—but in glory and power,
The SPIRIT surviveth the things of an hour;
Unchanged, undecaying, its Pentecost flame
On the heart's secret altar is burning the same!

MIRIAM.*

Our habitual dependence on the authority of foreign criticism, in matters of literary taste, is by this time too trite a subject of regret and reproach for us to waste more than an incidental allusion upon it. It is adverted to only from the striking illustration of it presented in the instance of the beautiful poem under the above title, to which we take pleasure in devoting this article.

* MIRIAM, a Dramatic Poem. Boston, Hilliard, Gray & Co., 1837.

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If a poem comes to us across the Atlantic, with the *imprimatur* of English criticism, it never fails to be welcomed with enthusiasm. Admiration may not only be safely indulged, but becomes the criterion of taste; it is a general theme of conversation, and all are emulous in giving expression to their appreciation of its merits. But here is a poem by a lady, modestly anonymous, which—though a production of rare beauty, and even in many respects able, with safety, to challenge a comparison with a work recently adopted, by unanimous verdict, as a classic of the highest poetical rank, (Talfourd's "Ion")—appears to have fallen almost still-born from our press, and to be entirely unknown beyond a very limited circle of private acquaintance. Several months after its publication, its very name was an unknown sound in the bookstores of the principal city of the Union.

We look upon "Miriam" as an important accession to the poetic literature, not alone of our country, but of our language,—as a jewel of great price; and feel it more incumbent on us to express fully our high estimation of it, and make it more extensively known, from the timid modesty evinced by the author in the preface, which seems to claim a generous encouragement. She says: "It is with great self-distrust that she is at last persuaded to submit to the fearful ordeal of publication; feeling that, if neglect or severe criticism should decide the time spent in its composition to have been ill-employed, she must henceforth conscientiously resign pursuits that have till now lent a charm to many a solitary hour." The poem was written a number of years ago, at a very early age, and, from the same motive of modesty, was allowed "to slumber in the safe security of manuscript for a longer period than is prescribed by Horatian authority"—a circumstance necessary to be mentioned, to redeem it from the suspicion of being an imitation of "Ion."

Though the dramatic form of dialogue and action is given to it, yet the poem—humbly styled by the author, a "Sketch"—is not arranged according to the usual method of tragedy, in the regular frame-work of acts and scenes. The addition of this to the full *matériel* which it contains, of passion, high sentiment, and incident, would have been an easy task, but it makes no pretension to an intended adaptation to the stage; and in this light it must be judged. It is a poem, both in form and style, and not a tragedy; and therefore is not fairly amenable to the criticism which, in the latter case, would not be without justice, namely, a want of that energy and direct terseness in the expression of the strong emotions, which are necessary in tragedy. In the latter, the actual personation of the passion is to pass before the eye of the spectator, exhibiting it as in living reality, and by action and countenance, and all the apparatus of stage effect, filling in the bare outline of the brief spoken words with that poetic coloring and shading which must not be omitted

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from the poem designed for the closet alone. The delightful work before us is extremely simple in its structure. It is divided into three parts or scenes; the characters are but five in number; the duration of the action, a single night; the place and age, Rome, during "the period when infant christianity was struggling almost for life under the persecution of triumphant heathenism."

At the opening of the first scene, Thraseno, an aged Syrian Christian, and his son Euphas, a youth of sixteen, are represented as about to set forth to join in the funeral rites of a departed brother of their persecuted faith. The hour and spot are sunset and the garden of Thraseno. Miriam, the sister of Euphas, in his own description,

—beautiful—
Touch'd by three summers more than I have seen
Into the first young grace of womanhood—
Lovely, yet thoughtful—

—enters to them; and surprises them by declining to accompany them on the pious duty:

Sweet sister! come thou forth with us. I know
Thou wouldst not slight the poor remains of him
Whose spotless life thou didst revere and love.

MIRIAM.

A ripe and goodly sheaf hath gently fall'n,
Let peace be in the good man's obsequies;
I will not carry there a troubled soul.

There is a sad tenderness in the language addressed to her by her father and brother, on the altered appearance she has exhibited of late, seeking to discover the secret sorrow which is evidently wasting her life away. Miriam loves, secretly and fearfully, a young Roman noble, Paulus, the only son of Piso, the blood-insatiate persecutor of the Christians; and she expects him momently at this very spot, to what she designs as the last of their meetings. How their love arose and grew, we are not told. It has evidently been fed, in her breast, by the hope of converting him to the true faith, as being one "not made for base idolatry;" to which object she has directed all the fervor of eloquence that love and religion could lend her lips,—but in vain. She has now abandoned all hope; the secrecy of their intercourse, with that hope, loses all its justification; and she has formed the resolution of parting from him for ever. This is the object of the meeting of this evening. We see that the struggles which are desolating her heart have half exhausted the springs of life. Throughout the poem she passes before our eyes as a martyr—a martyr of love and religion; and while her spirit is borne on high by a more sublime heroism than that which would suffice to triumph over the agonies of the stake and flame, the anguish of the lacerated affections of the woman's heart con-

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stitute a fine but arduous subject of poetry. She entreats her father and brother to leave her, confessing that this evening has its "task of tears," which must be performed alone; and promises that when the "battle" through which her soul has to pass, and for which she asks their prayers, is over, she will discover all that now seems mysterious to them:

> Urge me not now. I cannot—cannot *yet.*
> Have I not told you that a starlike gleam
> Was rising on my darken'd mind? When Hope
> Shall sit upon the tossing waves of thought,
> As broods the halcyon on the troubled deep,
> Then, if my spirit be not blighted, wreck'd,
> *Crush'd*—by the storm, I will unfold my griefs.

The remorse that she feels for the existence of this mystery, and the yearning of her heart for a return to that unreserved confidence of former times, in her relation with her father and brother, are beautifully expressed, and utterly disarm the censure we may at the first blush be disposed to cast upon this feature of the story, as not being in harmony with the pure guilelessness of her character.

Her father and brother at length reluctantly leave her to herself, and to the safe-guard of her own purity. Her lover presently enters, full of buoyancy and happiness. The interview in which her duty of "spirit-crushing agony" is to be performed, is admirably sustained. We regret that it is not in our power to give our readers the entire scene, where every line seems to add a fresh touch to the general mournful beauty of the picture—a fresh tone to the soft and solemn harmony that appears, almost sensibly, to breathe from it. The conflict between the resolution which she is there, in the holy heroism of her religion, to execute, and the human passion—spiritualized as it is by the purity of her young innocence, still beautifully human—is finely conceived and depicted. Her lover is a bright being, full of tenderness, generosity, and nobleness, "of a temper softer than his sire's;" and though not free from a tinge of imperiousness, natural to the magnificent young Roman noble and warrior of the time, yet softened down, by the gentle influence of his love for the Christian maiden, to a fine shade of character.

The key to the scene is contained in the following passage, from which we cannot abridge a line:

> Hear me—for with the holy faith that erst
> Made strong the shudd'ring patriarch's heart and hand,
> When meek beneath the glitt'ring knife lay stretch'd
> The boy whose smiles were sunshine to his age,
> This night I offer up a sacrifice
> Of life's best hopes to the One Living God!
> Yes, from this night, my Paulus, never more
> Mine eyes shall look upon thy form, mine ears
> Drink in the tones of thy beloved voice.

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PAULUS.

Ye gods! ye cruel gods! let me awake
And find this but a dream!

MIRIAM.

Is it then said?
Oh God! the words so fraught with bitterness
So soon are utter'd—and thy servant lives!—
Aye, Paulus; ever from that hour, when first
My spirit knew that thine was wholly lost,
And to its superstitions wedded fast,
Shrouded in darkness, blind to every beam
Streaming from Zion's hill athwart the night
That broods in horror o'er a heathen world,
E'en from that hour my shudd'ring soul beheld
A dark and fathomless abyss yawn wide
Between us two! and o'er it gleam'd alone
One pale dim-twinkling star! the ling'ring hope
That grace descending from the Throne of Light
Might fall in gentle dews upon that heart,
And melt it into humble piety.
Alas! that hope hath faded! and I see
The fatal gulf of separation still
Between us, love, and stretching on for aye
Beyond the grave, in which I feel that soon
This clay with all its sorrows shall lie down.
Union for us is none, in yonder sky:
Then how on earth?—so in my inmost soul,
Nurtur'd with midnight tears, with blighted hopes,
With silent watchings and incessant prayers,
A holy resolution hath ta'en root,
And in its might at last springs proudly up.
We *part*, my Paulus! not in hate, but love,
Yielding unto a stern necessity.
And I along my sad, short pilgrimage,
Will bear the memory of our sinless love,
As mothers wear the image of the babe
That died upon their bosom, e'er the world
Had stamp'd its spotless soul with good or ill,
Pictur'd in infant loveliness and smiles,
Close to the heart's fond core, to be drawn forth
Ever in solitude, and bath'd in tears.

The anguish of the high-spirited Roman takes at first the shape of indignation at what seems to him cold-hearted fickleness; and the difficulty of his understanding her high motive is one of those incidental illustrations, which abound through the poem, of the vast moral superiority of the spirit of the religion under whose influence she is acting over that of his own mythology, or of any of the philosophies engrafted upon it. After words of bitter reproach, which should make her, as he deems, quail before his eye, he exclaims:—

How! there is light within thy lofty glance,
A flush upon thy cheek, a settled calm
Upon thy lip and brow!

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MIRIAM.

Aye, even so.
A light—a flush—a calm—not of this earth!
For in this hour of bitterness and woe,
The Grace of God is falling on my soul,
Like dews upon the with'ring grass, which late
Red scorching flames have sear'd. Again
The consciousness of faith, of sins forgiven,
Of wrath appeas'd, of heavy guilt thrown off,
Sheds on my breast its long forgotten peace,
And shining steadfast as the noonday sun,
Lights me along the path that duty marks.
Lover too dearly lov'd! a long farewell!
The banner'd field—the glancing spear—the shout
That bears the victor's name unto the skies,
The laurel'd brow—be thine, &c.

But it is in vain that he would strive to trample down his passion in the mood of wrath. A gentler one succeeds, though it grow out of despair:—

Miriam! my pride is bow'd—my wrath subdued—
My heart attun'd e'en to thy slightest will,—
So that thou yet wilt let me linger on,
Hoping and dreaming that thou hat'st me not,
Suffer'd to come at times, and sadly gaze
Upon thy loveliness, as if thou wert
A Dian shrin'd within her awful fane,
Made to be look'd upon and idoliz'd,
But in whose presence passion's lightest pulse,
Love's gentlest whisper, were a deadly sin, &c.

This is a more dangerous ordeal for her firmness than the former. Her resolution appears to tremble and faint, but is roused again by his allusion to "the harsh dictates" of her "gloomy faith," and her "stern and unrelenting deity—"

Youth! thou remindest me—thou dost blaspheme
The God of Mercy whom I serve; and now
Courage and strength return once more to nerve
My trembling limbs, my weak and yielding soul.

He still urges the hard temptation in language of the most passionate eloquence, offering to bear her off as his bride "before the face of all assembled Rome;" and entreating her to fly with him to some "lonely isle of peace and love," across the western seas, of which he pictures an exquisite description; but with a sad and gentle firmness, she adheres to her resolution;—when they are suddenly broken in upon by her brother, bringing the announcement that the little congregation of Christians has been surprised at their funeral service by the myrmidons of Piso; some slaughtered, and the rest, including her father, hurried off to his dungeons. Here

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occurs a bitter trial to the overwrought girl. Her brother, coupling the mystery of her previous conduct with the presence of the young noble, is overwhelmed with a double grief at the suspicion which it suggests. Miriam's feeble frame sinks under the intense emotions of the scene, and she finds a refuge in insensibility. At the moment that Euphas discovers Paulus to be the son of Piso, a body of armed friends enters, whom he had summoned hastily to meet for consultation at his father's house. The Christians see the avenging hand of Providence in this opportune deliverance into their power of the only son of their persecutor, and, stimulated by the thought of the blood reeking from the massacre of the dearest objects of their own affections, are about to put him to death,—but are arrested by Euphas; whose interposition here, notwithstanding his own resentment against Paulus, which had before prompted him to spring at his throat, has a beautiful moral effect:

> Oh no! not thus
> Religion asks the service of our hands.
> The spirit of her mild and bloodless laws
> Requires not life for life. Let him go forth.

Paulus had himself, shortly before, spared the life of Euphas, whose attack he had brushed aside with scarce an effort:

> Go, thou out safe.
> I could not slay my bitterest enemy,
> Were he as young and beautiful as thou,
> And much less *thee*—in such a cause as this;
> Take thou thy life.

Paulus, however, resolves to remain a voluntary hostage for the safety of the Christian prisoners; and Euphas hastens to the palace of Piso to extort from him their liberation, by appealing to his affection for his son,—it being arranged that, if they should not return in safety by sunrise, he is to die. After the departure of Euphas on his bold errand to beard the lion in his den, Miriam revives from her swoon. The words which she utters at that dim moment of the transition from the unreal life of the entranced imagination to the sorrows of human reality, seem to descend, in the midst of the griefs and passions of the scene, like a moon-beam upon troubled waters, shed from the calm and holy region far above the clouds of the storm. In the connection, they touch the heart with an indescribable charm:

> Methought once more in dear Judea's land,
> A child by Siloe's gushing fount I sat,
> Close by my angel-mother's knee, and heard
> The holy hymns she sweetly sung each night
> Unto our God; while ever and anon
> The quiet murmur of the brook came in,
> Filling each pause with softest melody,

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Even as it was went, years—years ago!
Was it an idle vision of the night? a trance?
Where am I now? whose dark bright eyes are these
Gazing upon me thus? Euphas! my sire?
Where are ye both? [*rising suddenly*] Alas! alas! too well
I do remember all!

Learning what has occurred, she breaks from the arms of Paulus, exhausted as she is, to follow her brother and share with him their father's fate.

We come now to the Second Scene, between Euphas and Piso, in the palace of the latter. From the brief account of it which our limits permit us to give, our readers will recognize in it a remarkable similarity with the interview between Ion and Adrastus, in the work already referred to above. Euphas has exhausted all his entreaties, in vain, for the liberation of the prisoners, keeping yet in reserve the last word on which his hopes mainly depend. Piso is a man of dark spirit and adamant heart—the darkness and hardness of a life of blood and evil passions,—

Ambition, pride, and, worst of all, revenge—
Revenge, that hath shed seas of Christian blood!—

Yet has his nature one ray of light, one nerve of tenderness; in what human nature were they ever utterly destroyed? And the name of Paulus, his only son, is a spell by which the tiger can be tamed. There is, moreover, a something in the eye of the "dark haired boy"—

Boy, there is that
Within thy pensive eye I cannot meet;
I have beheld a face so like to thine,
Else had our parley shorter been. Away!

Long years ago—before the Demon had entered into his soul—when a soldier "in youth's prime," "beneath Judea's palms," he had loved and wooed the mother of the boy. His suit had been rejected, though "in very gentleness." She had wedded a Christian. From that day he became what he now was; but can the man ever wholly forget the boy? Here was the motive of his persecution of the Christians.

In the course of the dialogue, he learns from Euphas the manner in which Paulus has fallen into the power of "yon rav'ning wolves;" and, in the first fury of the discovery that the "degenerate boy" has loved one of the hated and accursed sect, though he had before been on the point of relenting, he determines to leave him to his fate, and to involve all in one common and dreadful vengeance. Above all, he is eager to know the "foul sorceress" who has ensnared his son by magic arts, that on her may fall his fiercest rage. At this moment a thrilling effect is produced:

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[*Miriam glides in. A pause.*]

Beautiful shadow! in this hour of wrath
What dost thou here? In life thou wert too meek,
Too gentle for a lover stern as I.
And since I saw thee last, my days have been
Deep steep'd in sin and blood. What seekest thou?
I have grown old in strife, and hast thou come,
With thy dark eyes and their soul-searching glance,
To look me into peace? It cannot be.
Go back, fair spirit, to thine own dim realms!
He whose young love thou didst reject on earth
May tremble at this visitation strange,
But never can know peace or virtue more!
Thou wert a Christian, and a Christian dog
Did win thy precious love. I have good cause
To hate and scorn the whole detested race;
And till I meet that man whom most of all
My soul abhors, will I go on and slay!
Fade—vanish—shadow bright! In vain that look!
That sweet, sad look! My lot is cast in blood!

The whole scene is of equal power and beauty. The dark Demon is quelled before the face of the Spirit of Beauty and Love. The rock is touched by the wand, and the long-sealed fountain gushes forth. He consents to the safe departure of the captives:

Ye shall go forth in joy,
And take with you yon pris'ners. Send my son,
Him whom *she* did not bear, home to these arms,
And go ye out of Rome with all your train.
I will shed blood no more; for I have known
What sort of peace deep-glutted vengeance brings.
My son is brave, but of a gentler mind
Than I have been. His eyes shall never more
Be grieved with sight of sinless blood pour'd forth
From tortur'd veins. Go forth! ye gentle two!
Children of her who might perhaps have poured
Her own meek spirit o'er my nature stern,
Since the bare image of her buried charms,
Soft gleaming from your youthful brows, hath power
To stir my spirit thus! But go ye forth!
Ye leave an alter'd and a milder man
Than him ye sought. Tell Paulus this,
To quicken his young steps.

The scene takes, however, an unexpected turn. In the act of delivering to them the list of the prisoners, with his signet-ring, as the warrant to the guards of his dungeons for their release, a name strikes his eye; and the idea, which, amidst the emotions of the beautiful scene he had just passed through, had not occurred, now flashes like a dart of lightning upon his mind. The "Christian dog," whose name has been through life "the voice of serpents" in his ear, is in his power—to avenge upon whom the youthful wrong which has made him the accursed wretch he now is, has been

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A purpose cherished in my inmost heart,
That which hath been my dream by night,—by day
My life's sole aim.

And all is again lost.

MIRIAM.

Piso!
In mercy mock us not! children of her
Whom thou didst love.

PISO.

Aye, maid, but ye are *his*
Whom I do hate! That chord is broken now—
Its music hush'd! Is *she* not in her grave,
And *he* within my grasp?

MIRIAM.

Where is thy peace?
Thy penitence?

PISO.

Fled all—a moon-beam brief
Upon a stormy sea. That magic name
Hath rous'd the wild loud winds again. Begone!
Save whom ye may.

However her courage does not fail—

PISO.

Maiden!
While thou art safe, go hence; for in his might
The tiger wakes within me!

MIRIAM.

Be it so.
He can but rend me where I stand. And here,
Living or dying, will I raise my voice
In a firm hope! The God that brought me here
Is round me in the silent air. On me
Falleth the influence of an unseen Eye!
And in the strength of secret, earnest prayer,
This awful consciousness doth nerve my frame, &c.

She then addresses him in a strain of beautiful eloquence, picturing to him what will be his after life, in the awful loneliness in which he will be left in the world, haunted by the phantoms of the past, if his son is now to fall a victim to his fury. She again masters him.

It is enough! The gift of prophecy
Is on thee, maid! A power that is not thine
Looks out from that dilated, awful form—
Those eyes deep flashing with unearthly light—
And stills my soul. My Paulus must not die!
And yet, to give up thus the boon!

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He retires to meditate on the means of reconciling the glutting of his vengeance with the safety of his son.

> I cannot live on this dark earth alone;
> I cannot die, if burden'd with *his* blood!
> I cannot give my brave and only son,
> To buy the luxury of my revenge!

Dark and deep are the workings of that guileful breast; but he comes forward with fair words, and swears by "the sacred Styx" —the inviolable oath—that he will go in person and release their friends, and send them after them immediately—all, and alone; and bids them hasten, lest they be too late to save his son's life, enjoining on them to release him, and bid him fly to his arms, as soon as they shall descry the approach of the train of the prisoners. They depart. Miriam's parting words are so beautiful that we regret to be compelled by our limits to omit them.

The Third Scene conducts us to the spot, at a short distance from the city, where Paulus and his guards are waiting the result of the interview between Piso and the two young Christians. They are watching for the dawn which gradually steals, with its cold gray light, over the scene before them —

> Aye, on the river's face
> Vanish the dull red specks which all night long
> Glimmered in faint reflection of the lamps
> That lit the student's task, the sick man's couch.
> Life wakes throughout the city. Rome, my home!
> How beautiful thou art, thus stealing forth
> From the deep veiling darkness of the night
> A wilderness of gardens, palaces,
> And stately fanes!

We must pass over the long soliloquy of Paulus, rich as it is with poetry of the finest stamp. But in this hour do the seeds of truth, implanted long ago by the words of his Christian love, at length begin to swell and put forth their living powers.

> Could I but pierce—
> Were it but with one brief and shuddering glance—
> The cloudy curtain hanging o'er the grave!
> Oh! new, and strange, and awful, are the thoughts
> Dim forming in this whirling brain! Her words
> Come thrilling back upon my soul with might, &c.

Miriam and Euphas enter and inform them of the success of their mission; and they await the arrival of the expected band. Miriam's speech here we cannot omit:

> Friends! watch still!
> Soon as ye see our brethren drawing nigh,
> The Pagan must away. Till then, Paulus,
> Is it a sin that dying lips should breathe
> Words that pertain to earth and earthly things?

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Thy faith I may not hope to shake—and next
Would I conjure thee never to forget
The voice, the face, the words, the dying love
Of her whose warring love and faith have dug
Her own untimely grave—have worn away
Her hopes, her nerves, her life, with secret waste.
Paulus! forget thou not, in thy proud halls,
Beneath thy father's smile, in battle-field,
Or most of all, in the dark solemn hour
When midnight sheds her spirit on thy soul,
The words I've utter'd in these latter days
Of our wild love, when failing hope, dim fear,
And a vague consciousness that I *must* yield,
Must give thee up to darkness, came to add
A sad and awful fervor to my words.
Oh! it must work—it *will!* That memory
Within thy soul will yet have mighty power!
Thou wert not made for base idolatry!

An awful catastrophe chills the blood as we read. The little band of the prisoners is descried approaching, but with slow steps, and sad—

No buoyancy
Is in their steps—no song upon their lips—
No triumph on their brows!

As they enter, their group opens, and displays *the body of Thraseno on a bier!* An old Christian thus bears the tyrant's message:

Thus saith the man of blood: "My word is kept.
I send you him I promis'd. Have ye kept
Your faith with me? If so, there is naught more
Between us three. Bury your dead—and fly!"

We must leave the effect to the imagination. Paulus abjures his "father's blood, his name, his faith, his gods;" and recognizing, in the history of this sorrowful night, irresistible evidence of the divinity of the Christian faith—the foundations of his youth's belief having long ago been "softly sapped"—asks to be taught "how to frame the Christian's prayer,"—how "to know the Christian's God aright."

Miriam—why should her sorely-tried spirit be kept longer from its rest? Not even this attainment of her life's dearest aim can undo the work of the struggles of the past upon her feeble frame. Her task is done. And the high energy of the soul, giving it "strength to lift its clay," which has borne her through the fearful events of this night, is spent. But now she may depart in peace —

Oh, how different is the parting hour
From that which crushed my hopeless spirit erst!
Joy—joy and triumph now!

And standing beside her father's bier, with "a calm and sunny brow," these are the last words she utters:

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Euphas! thy hand! Aye, clasp thy brother's hand!
Ye fair and young apostles! Go ye forth!
Go side by side beneath the sun and storm;
A dying sister's blessing on your toils!
When ye have poured the oil of Christian peace
On passions rude and wild—when ye have won
Dark sullen souls from wrath and sin to God—
Whene'er ye kneel to bear upon your prayers
Repentant sinners up to yonder Heav'n,
Be it in palace—dungeon—open air—
'Mid friends—'mid raging foes—in joy—in grief—
Deem not ye pray alone; man never doth!
A sister-spirit, ling'ring near, shall fill
The silent air around you with her prayers,
Waiting till ye too lay your fetters down,
And come to your reward. Go fearless forth!
For glorious truth wars with you, and shall reign.
[*Seeing the bier.*]
My father! sleepest thou? Ay, a sound sleep.
Dreams *have* been there—oh, horrid dreams!—but now
The silver beard heaves not upon thy breast;
The hand I press is deadly, deadly cold,
And thou wilt dream, wilt never suffer, more.
Why gaze I on this clay? It was not this—
Not this I reverenc'd and lov'd!

My friends!
Raise ye the dirge; and though I hide my face
In my dead father's robe, think not I weep.
I would not have the sight of those I love
Too well—e'en at this solemn hour, too well—
Disturb my soul's communion with the blest!
My brother! sob not so!

And so a dirge is sung by the Christians over the remains of their brother. As for Miriam,

Methought I saw her ringlets move!
——Alas!
'Twas but the breeze that lifted those dark locks!
They never will wave more!

Her spirit was borne gently upward to the heavens which she had fancied she saw opening its glories above her, on the wings of the solemn strain. And the following are the closing words of the poem, by Paulus:

My mind is dark.
The faith which she bequeath'd must lighten it.
Come forth, and I will learn. Oh, Miriam,
Can thy bright faith e'er comfort grief like mine?

The chief charm of this poem is the gentle tone of moral and religious beauty which pervades it. The conception is fine, and the poetic execution not inferior to it. The construction of the

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story is equally happy and simple. The interest is sustained, without relaxation, to the end, by a natural succession of incidents; while, at the same time, the gentle and subdued tone, which is suffused over the more intense emotions attendant upon its action, soothes the sympathies to which a character too painful might otherwise be given by the continued suspense. Tenderness and beauty, rather than force, are its pervading attributes. We do not recognise in it that strong grasp of a well matured intellect which characterizes "Ion;" condensing lofty and varied thought into sentences polished, by the labor of years, to the highest point consistent with energy. But in some respects it need not shrink from a comparison with that admirable production. In its general spirit of moral purity, asserting its divine supremacy over the impure and the bad, when brought into contact with it, and in the power of a high spiritual motive of self-devotion to triumph over the might of human passions and grief, there is a remarkable resemblance between the two. Ion sacrifices love and life to his country; Miriam offers the same sacrifice on the altar of her religion. The general theme of the former may be said to be the beauty of pure morality, as an enthusiast of high intellectual cultivation may conceive it in its pure abstraction: the less ambitious but not less lofty theme of the latter is "the beauty of holiness," as any humble spirit that looks down earnestly into the depths of Christianity may understand and feel it. A higher degree of cultivated intellectual power might be necessary in the former to overcome the obstacles to effect, which arise out of the highly artificial character of the subject, and the unnatural apparatus of the ancient mythology, with the ideas of Destiny and Fascination; but in the conception of the latter, and in the simple and sincere expression given to it, without any ambitious striving after effect and display, there is, we think, a poetry of at least as high an order. The moral perfection of Ion is a something preternatural; an abstraction which may be clothed with a human form, but will not produce a human being as the result. Ion is an exquisite statue, of purest Parian marble, indeed; snow-white and dazzling, and chiseled by the hand of a Phidias; faultless, bright, and cold; enchanting the imagination, but leaving untouched the heart. Miriam is a living being, in whose love, devotion, and grief, we sympathize, as with a fair and gentle sister of our human nature. This difference between the two may be thus generally expressed: In the one, a moral idea, in its abstract perfection, is personified, and carried, by a forced application of artificial machinery, through a certain dramatic action, which we may follow with a charmed eye, but without that conscious identification of it with our own nature which can alone move the inner fount of our sympathies, and call forth their warm gushing. In the other, human nature, exhibited in its most lovely form, is artlessly elevated,

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by the influence of a principle of religion still higher than that artificially personified in the former. There can be no comparison instituted between them, nor do our remarks involve a comparison. Neither is any evidence that its author could have produced the other; or perhaps it would be more correct to say that the author of Miriam could not have produced Ion, and that the author of Ion would not, probably, have produced Miriam.

As a composition, the author has indicated the idea on which it was conceived—and by which, therefore, she is entitled to be judged—in the remark of the preface, that she aimed at an illustration of the state of things existing at the period referred to in the narrative. In this point of view, it is entitled to a high appreciation. This explains and justifies the painful catastrophe with which our hopes, arising out of the obvious facility of giving it a happier result, are disappointed. There must certainly have been no slight temptation to give it such a result, on the removal of the barrier which had separated the Christian maiden and Pagan lover; yet this would have been at variance with the true spirit and highest beauty of the poem. It is not designed as a mere romance—of earthly love subjected to struggles and trials—beautifully as the living colors of human reality are blended with that solemn light shed over the whole by the spirit of Christianity. It is a tale of *religion*, in its highest poetry; exhibiting the triumph of its meekly intense heroism, not merely over human passion, but also over the darkness of the grave. We have been listening as to a hymn from one of those "golden harps" borne by the "seraphic forms" which come forth to welcome the spirit of the dying girl—solemn and sad, yet very beautiful, and blending, in its mingled music, with the tones of mortal passion and grief, the divine harmony of the peace that "passeth understanding." Who, then, would arrest the last sweep of the strings, though it be the most mournful, to substitute a seeming happier strain from an earthly lyre, even though it should sound an epithalamium to so pure and beautiful a love as that of Miriam and Paulus? When the splendors of the sunrise assume to her eyes, dimmed by the shadow of death that is now falling rapidly upon her, the semblance of a heavenly vision—

> Angels are gathering in the eastern sky,
> The wind is playing 'mid their glittering plumes,
> The sun-beams dance upon their golden harps,
> Welcome is on their fair and glorious brows;—

who would wish to say, though in the awe and anguish of the moment the exclamation bursts from her lover,

> Miriam! in mercy spread not yet thy wings!

One of the most touching of the features which combine to form this beautiful creation of Miriam, is the consciousness, on her part, that she is not long for this life. We see, from the opening address

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of her brother to her, that the blight of consumption is busy at her vitals, and it constitutes a principal element of the mournful interest with which we follow her through the action of the poem; while, harmonizing at the same time with the saint-like purity and elevation of her character, it seems to invest her person already with a reflection of the light of that sphere of kindred spirits, on whose confines we see her, just trembling in the struggle of separation from the dear objects of the world she is leaving behind. In her own words, her God

> Already hath stretched forth his hand,
> And touched it for the grave.

And in various passages throughout the volume, this idea, that she is but lingering yet a little while, till her task be done, is so interwoven with the texture of the poem, that to falsify it at the conclusion by an opposite result, would have been at variance with the correct taste and skill evinced in the construction of the whole.

Another consideration also entered, we cannot doubt, within the scope of this design. There was, alas! a slight taint of evil—one single spot—on the holy purity of her love—its secrecy, which stung her own conscience with a poignant remorse. It would not have harmonized with the general spirit of the poem, if happiness had been the fruit of the bud at whose heart lay the germ of that canker. It was, in her own words, "though sinless, yet not innocent;" and venial as the fault was, in a tender, frail young girl, with

> A heart too prone to worship noble things,
> Although of earth!—

—yet our severer judgment could not have passed so high an opinion of it, had this great moral principle been disregarded in this case. She is drawn as one of those pure natures which must "perish at the touch of wrong," and we feel that her life, sacrificed in the struggles which this concealment must have cost her, would be the only adequate atonement to her own conscience.

Another accessory object of illustration, which was doubtless held in view, was to show how the apostles of the first ages of Christianity must in many cases have been schooled by early sacrifice of their hearts' best affections, to prepare them fitly for their high mission. We are left in imagination to follow out the future life of Paulus and Euphas, whom she sends forth with her parting blessing, "two fair and young apostles." And the words of the aged Christian.—

> Chastened ye are,
> And bound by sorrow to your holy task,
> Arise,—and in your youthful memories
> Treasure the end of innocence—

afford the key to this portion of the moral of the history of religion intended to be conveyed.

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There is a general quiet truth to nature in all the characters of the poem, free from all exaggeration or distortion. In Piso, though his fierce and dark passions are made to bow before the influence of the beautiful and holy, yet no miracle is attempted in suddenly transforming a character hardened by a life of evil. Its effect is but brief, and he speedily relapses into his former self. The Christians introduced on the scene are not made saints and mere personifications of religious sentiments; they remain men—fathers, sons, and brothers; and in their natural resentment at the bloody persecution to which they are subjected, the perfect principle of Christian forgiveness and love is by no means a sufficient check on their hatred of the author of their calamities and his kin. The true principle is not, however, left unasserted; for Miriam thus finely rebukes the rage of the father, whose "three fair boys" were in the tyrant's hands:

> Art thou a follower of Christ?—Alas!
> Thou pure and gentle One! who walkedst earth
> Amid earth's bloodiest, sinless!—from whom
> No shame, no wrong, no agony, could draw
> One word of bitterness, thou hast not left
> Thy spirit in the hearts of all who bear
> Thy holy name.

The gorgeous epicurean luxury which had succeeded to the hardy virtues of the former ages of Rome, in the mansions of her nobility, is happily touched on, in passing, in the speech in which Paulus enters to the stolen appointment of the lovers in the first scene, describing the festal splendors in his father's halls which he had just quitted; while, in the contrast which it presents to the humble state of the Christian personages of the story, and the trembling terrors that attended on the stealthy performance of their religious rites, as described in the opening speech of Thraseno, and as realized in the catastrophe that ensued, a grand and mighty moral shines forth as a part of the general design of the poem.

We must here, however, notice a departure from historical propriety which, though of a trifling nature, cannot but excite some surprise. In several passages the ideas and language are used which have arisen, in our modern poetry, only out of the chivalry of a later age than that at which the story is laid. There was but little analogy, except in the name which the modern institution retained, between the Roman order of "knighthood" and the later "chivalry" of Europe; and the reference to Paulus, who was doubtless of the highest ranks of nobility, as "thou Roman knight!"—"what knight is this?"—"proud and knightly brow," &c., is an anachronism remarkable in the midst of the general correctness manifested in other allusions to the manners and ideas of the time.

In point of style, the poem before us possesses a charm, not perhaps of a very high order, but equally rare and pleasing,—a

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certain artlessness and unambitious simplicity—a sort of purity and innocence of style, so to speak, caught apparently from the general tone of sentiment which it so beautifully conveys—and which proves fully the truth of the remark in the preface, that it was written without the slightest thought of publication. We do not intend this by any means to imply awkwardness, or a want of practised ease. It is correct and graceful, yet seeming naturally rather than artificially so. It is nowhere ornate nor elaborate; it is always equal to the sentiment of the scene, nor exaggerated beyond it.

To this we may perhaps except the passage in the first scene in which Miriam repels the unjust suspicions, which she seems to read in the manner of the father and brother, with rather *too* high and strong an assertion of her own purity, scarcely consistent either with her delicate modesty or Christian humility. The most prominent defect of style is an occasional diffuseness and consequent feebleness, the verse flowing on smoothly and pleasingly, yet rather too much diluted. In fact, as has been already intimated, we cannot claim for it that rich copiousness of strong thought and striking imagery which excites our admiration in "Ion." Still its thoughts are natural and clear, always happily conveyed, often with remarkable elegance; and the imagery generally very beautiful. Few strong passages could be selected, fastening at once by their native energy on the memory and becoming maxims of quotation and the texts of long after reflection, such as some of Shakspeare's plays are almost entirely made up of. The beauty of the work, which leaves so strong an impression on closing it, consists rather in the general conception, the purity and mournful beauty of sentiment pervading it, the *sincerity* of its style, and the general harmony of all the parts with each other and with the whole, than in that higher attribute (if *prouder* would not be the more correct word) of cultivated intellectual power to which the world more commonly yields the tribute of its admiration.

The versification is smooth and melodious, often to a high degree of beauty, though, if disposed to be severe, we might point to some rather careless passages. On the whole, we may safely say that, in point of poetic style, as well as in conception, it is entitled to rank as a production of a high order of merit; and seems to attain, by a natural purity of taste, that last result of art, the concealment of itself. The author nowhere appears behind her characters; and it is only when you close the volume, and the soft and sad spell that has bound your heart is dissolved, that your imagination turns from the beautiful creation to the unknown creator, and loses itself in conjectures of what can have been the history, the 'way of life,' the 'inward experience,' of the gentle being who has learned already, so young, to draw from that wondrous spirit-lyre, the human heart, a music so eloquent—'pleasant but mournful to the soul.'

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STORM STANZAS.

It was a fearful hour,
When we ploughed the foaming waves—
And the tempest's giant power
Unlock'd the ocean's caves.

But 'twas to me a pride
To view the tossing foam—
And the skies extended wide—
And the stars in their azure home.

To see the bending mast—
To hear that tempest's voice—
And to feel the ship, careering fast,
In its own proud strength rejoice.

O! the ocean, and the rush
Of its wond'rous might for me,
Beyond the banquet gush
Of the minstrel's melody.

For nature's power is there,
And the breath of nature's God,
On the trackless pathway where
A thousand ships have trod.

Who coldly can look out
On the ocean's playful life,
When it echoes to the shout
Of the winds and waves at strife,—

Who listen to the gale,
With the strength of science play,
And break the shroud, and rend the sail,
Nor feel the Godhead's sway?

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GLANCES AT CONGRESS.

BY A REPORTER.

No. I.

The call of the extra session, by special proclamation, had served as a theme for that political gossip so much delighted in by our good people, from the gentlemanly loungers at Astor's, in the city of New York, to the rough tap-room sages at Sundown, in the Far West. All other motives of interest apart, it was a something *new* under the sun; a dim idea of a similar event having happened once, and once only, before, within the period of our national existence, not at all detracting from the charm of its novelty. In the way of politics we are as fond of excitement, and as much palled by long indulgence in it, as was that old Roman emperor, the patron saint of all modern *blazés*, who offered his magnificent reward for 'a new pleasure.'

And why was the extra session convened? The answer is very simple. The country was in that state, "to be imagined, but not described,"—of the first stage of recovery from a fit of intoxication; the reaction of a long debauch; the parched, sickened, agonized waking up from the dangerous delight of a 'frolic,' which is so expressively designated, by those who have learned from experience the dear-bought knowledge, as "*the horrors*," and had been calling fretfully for the doctor—the doctor—nay for a whole Congress of the learned fraternity, from all parts of the country, for a consultation on the very peculiar state which it was conscious that its system had somehow or other got into. As not unfrequently happens on such occasions, it had been in a terrible temper, and furious in invectives against every body and every thing on which it could, by any possibility, try to throw 'the responsibility,'—even against the honest and long-tried friend who had been doing all in his power, by precept and reproof, to moderate its thirst for the "wet damnation," which was the cause of all. However, it will certainly do the good old man justice, when it shall have got well again, and signed, as we hope it will, a temperance pledge for the future. One's ingenuity is always pretty well exhausted, when he can find nothing better to ascribe the consequences of his conduct to than his own wilful folly. I have sometimes thought, by the way, that this is not the least important of the functions for which government is established, to act as a scape-goat to bear off the sins of the people to the wilderness. If in all other respects it generally does much more harm than good, in this, at least, it certainly is a convenience; of which our good people never fail to avail themselves,

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abusing the government to the skies, or rather, equally far in the other direction, at every period of difficulty or pressure, (from whatever sources proceeding,) and testifying their ill-humor in whatever elections may happen to take place at the unlucky moment. Every body has, no doubt, heard of the master who paid his man double wages to stand patiently his kicks and cuffs, whenever he would return home after losing his money at the gambling, or his senses at the dinner, table. We pay our "man" but single wages, scanty salaries, with very hard work, and no allowance for this double duty. However, to return, a man is master in his own house; and if the country would have the medical Congress assembled, and would not and could not get along without it, its servants must needs obey, and call them together. Pray heaven they may not misunderstand the nature of the disease, and prescribe more 'ardent spirits!' even though they should endeavor to "regulate" them, and determine the proportions to be "preserved," in the use of them. There are certainly a great many of them who seem to consider that as the universal panacea, the veritable *eau de vie*, or elixir of life, to "give relief" to the suffering community, and "stimulate" its resources. I think that it had better, for the future, "divorce the connexion" which it has hitherto maintained with that black, square, ill-looking bottle—*hunc tu, Romane, caveto!* Nobody, however, I believe, proposes to "destroy" it, though so great a clamor is raised against that bugbear; for all things have their use in proper way and proper season.

The proclamation, then, went forth, and sounded like the rallying note of a bugle, among the echoes of the mountains of the north and east, and over the plains of the south and west. It was heard by 'the honorable member from Maine.' It found him in his giant woods, surrounded by his hardy wood-cutters; the lordly river sounding with its eternal voice in his ears, the broad liquid path which was to float his timber fortune down to the craftsman of the seaside, to be by him transformed into the keel of the ship, the frame of the house, the hull of the steamboat, or the body of the car. He heard the summons of the constitutional chief of the land, and like old Putnam, the yeoman hero of Bunker Hill, he forsook his industrious labors, and was ready for his country's need. Behold how firmly his limbs are set—how rich and ruddy his cheeks. Labor—manly, truly dignified labor—sheds an atmosphere of independence, happiness, and health, over noble New England; while the memories of the past nourish the patriotism then so well tested, and her natural sound intellect and hereditary moral and religious sentiment are developed and cultivated by universal popular education. Perish the recollection of all, which might tend to detract from the old pride and affection which the Union ought to cherish for New England!

It was heard in the West—the young, vigorous, and ambitious

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West; and she sent forth her fine phalanx of chosen sons, to cross the Alleghanies, as the representatives of her energetic and restless population; a population made up of the best materials of enterprise, industry, and manliness collected from the Atlantic borders of the Union. You may see them in the hall of the House, and have in general little difficulty in distinguishing them—men of tall and stalwart frame, free and often unpolished bearing, sometimes rather rough diamonds, it must be confessed—men of keen eye, vigilant mind, and ready hand; who can either handle their rifles or their law books with any in the world—ever prompt at the need of the occasion, and ever equal to it.

It was heard by the South—the luxuriant South, teeming with those rich productions which nature will yield only when wooed by the ardors of a warmer sun than shines on the hills of the more northern portions of the Union—and she, too, sent forth, by the gloomy avenue of the Dismal Swamp, a chosen few of her high-spirited, impetuous, chivalric sons—men, with all the virtues, as well as the faults, which spring out of those peculiar social institutions of which former generations have bequeathed them the burthen—generous, hospitable, with a highly toned personal dignity and sense of honor, and ever jealous of their rights and liberties.

And what is it that brings together this remarkable body of men; the representatives of so many various sections, soils, characters, and interests—what is that bond of union that keeps together this wonderful *E pluribus Unum?* It is not the external forms of institutions and the organized machinery of government. It is a voluntary principle, existing in the bosom of every individual, a common sentiment of general mutuality of the most important interests, the knowledge that the spirit of democratic republicanism embodied in our system, protecting rights and punishing wrongs, and in all other respects leaving every man free to pursue his own happiness in his own way, contains the true secret which the nations have been so long and toilsomely in search of, from which alone the greatest and happiest results of social life are to proceed. This is the true principle of cohesion, the *anima* or informing soul, which cements our union, all the parts exciting a reciprocal influence of attraction upon each other; and this, strengthened by the memory of a common national glory, both in our origin and in the subsequent unparalleled development of our young energies—together with those ties of kindred which are gradually stretching across the whole breadth of the land, as the settler from New England, or Virginia, or Georgia, bears with him the affections and associations of his youth, and leaves his own memory behind him, as he wends his adventurous way 'westward ho!'—*this* has already borne our Union, our ark of the covenant, safely through fiercer shocks of the collisions of interests and passions than, we trust, will ever again assail it; and *this*,

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strengthened and sanctified as we gradually improve our institutions, and purify their spirit, affords a pledge that cannot deceive, that the blessings of that union are destined by Providence to be perpetual and still ever progressive, as they have hitherto been astonishing to the other nations of the world.

Distance and climate can have no influence upon this bond. It is wholly independent of them. There need be no fear of the effect of any possible extension of territory—though the representatives sent from the shores of the Atlantic and the Pacific oceans, from the Isthmus of Darien and the far wild regions of the north of our continent, on the very verge of that uninhabitable region, *domibus negata*, which the icy powers of the Pole claim as all their own—should one day meet in common friendly congress at some central point, the focus of the civilization of the western world, where not yet has even the solitary smoke of its first pioneer begun to curl up its thin, white, wavering column from out of the dark and deep heart of the ancient forest. The farther and wider our principles extend themselves, with peaceful and undisputed sway, accompanied with no poisonous elements of wrong or violence, the better! The greater the number of the oppressed of other countries who come to seek shelter under the shadow of the broad wings of our eagle, bringing with them strong hands and honest hearts, and a voluntary desire to enjoy the benefits of the free institutions denied to them in the land of their birth, the better!—provided, as the essential condition of safety, that the local action of the central government over domestic concerns and partial interests be restricted proportionately to its diffusion over a more extended surface of territory.

However, all this is rambling a little too far; but a poor reporter, compelled to sit out a speech of an indefinite number of hours—a mere repeated edition of a dozen previous speeches of the honorable gentleman and his friends, to say nothing of the newspapers—runs into very wandering habits, and is surely entitled to a little indulgence. But the worthy member who has been so long imagining himself a modern Demosthenes, and that the destinies of a world were hanging, like the black pudding of the nursery story, from his lips, has subsided back into his seat, and it is time to return to the House, and to the narrow desk at which my worthy brethren of the stenographic quill, in common with myself, are strung up against the wall like cloaks in the dog-days.

What a noble hall!—beautiful, grand, the *tout ensemble* inspiring—worthy of the purpose to which it is devoted! Its defect of construction, with reference to acoustics, is a happy circumstance for the worthy fellowship of fault-finders, who would otherwise have to hang themselves from the galleries in despair. The defect is, in itself, quite immaterial; for not only is it pefectly well understood that the speeches there made are in no respect addressed to

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the auditors actually present, but only to us judges on the reporting benches, and through us to the constituents, some hundred or thousand miles distant, as the case may be; but, moreover, it cannot but be gratifying to the vanity of orators (even M. C.'s are not utterly free from a slight touch of human weakness) to have two or three editions of their speeches circulated simultaneously through the hall by the admiring echoes of the roof. The sculpture, indeed, is not worth wasting many raptures upon; but that magnificent sweep of the colonnade gives a majesty and grace which not even the gingerbread gilding about and above the Chair can spoil—in spite of the homely name of the material, known to every body as *pudding*-stone; and in spite, too, of the sarcasm of John Randolph, who endeavored to devote them to the same damnation to which he consigned the "shin picture," by comparing them, and their beautiful Corinthian capitals of white Italian marble, to huge Bologna sausages, dipped at the ends in salt!

Hear the murmur that runs around the House, from no particular part, yet from all—a dull, heavy sound, proceeding from the legislative crowd. And see the agile little "runners," mostly small well-dressed boys, moving to and fro with all the alacrity and silence which may be attributed to the little officiating imps in an infernal congress—their arms loaded with franked documents for beloved constituents, with which the honorable members impose so grievously on Mr. Postmaster General. The Sergeant-at-arms is whispering, near yonder green door, to a stranger who has found his way upon the floor without permission. The uninvited makes his blushing bow to the polite official, and disappears through the green darkness. The portly clerk is busy at his desk; and that stentorian voice, which so often stuns my ear, like the discharge of a regiment of rifles, or the springing of a gigantic watchman's-rattle, is now happily silent. The vigilant Speaker looks grave, anxious, and thin, his dark eye ever on the *qui vive*, his head bent forward as usual. Poor man, he looks as if his seat, the prize of so earnest a struggle of parties, was not half so comfortable as mine. But hear—"Mr. Speaker!"—and a young man has caught his eye; and sinking back to his chair, he leaves "the gentleman from Virginia" full swing to say his say, and play any fantastic tricks before high Heaven that may seem good to him, looking himself like patience on a monument.

It is that remarkable person—remarkable both in good and in evil—Henry A. Wise, from Accomac, Virginia; where his personal popularity is unbounded. He is tall, pale and thin, about thirty years of age—perhaps not so much. He dresses like an old man, though his general appearance is very youthful. He is very slovenly in his apparel, his coat hanging like a miller's bag on his shoulders. His face, I said, is pale, and his white cravat adds to its appearance

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of livid pallor; but he has a dark and brilliant eye, a powerful feature in Mr. Wise, which seems sometimes to flash almost unearthly rays of light over his whole countenance. His forehead is projecting and massive, and his mouth large, but firmly set. Without being handsome, his face has a general pleasing character. His hair is light and always in a disordered state—seeming emblematical of the brain under it. To see him sauntering about the hall, with his long Indian strides, you would at once be tempted to ask who he was; to hear him speak, your attention would be rivetted upon him. You no longer see the loose garment on the ungainly figure, the outré neckkerchief vanishes, and your eyes are fixed on the excited and earnest orator. All his predominant characteristics are brought out with great rapidity—firmness, impetuosity, a disdain for honeyed words, fierce sarcasm and invective, all gather into a hurricane and startle the drowsy members from the lounges, and wake up those victims of dull hours, the reporters. Every body is on the alert, expecting something—a thunderbolt or a joke, and expecting to be equally amused with either, as the former only thunders and flashes, but never blasts. Mr. Wise may not always say anything remarkably brilliant or striking, but there is an intensity about his manner that fastens on the attention, and clutches it until he has finished. He is remarkably quick in arriving at conclusions, and generally, too, in a way that would not have been struck upon by any one else. He is very independent in his disposition, fearless, and, to use a common expression, above board. He was educated at the University of Virginia. He has undoubtedly very high talents, and I have heard him, upon more than one occasion, soar into the regions of commanding eloquence. His forte lies in invective; then he becomes, to those whose party sympathies follow his own excited train of feeling, thrilling; his pale and excited face, his firm and compact head thrown back, his small bony hand clenched in the air, or with the forefinger quivering, as if all the passion of the orator was concentrated there, his eyes brilliant and fixed, his voice high yet sonorous, impress a picture too vivid to be easily erased from the mind. A stranger, a few days ago, of his own party, on coming into the hall for the first time, at such a moment, compared his appearance to that of a corpse galvanized!

Mr. Wise, it is well known, is a prominent member of the opposition. He cannot be ranked as a leader; certain it is, however, he is not led. He is much beloved by those who know him in private life, being jovial, free-hearted, and full of hilarity.

But all Mr. Wise's talents, to which I have tried to do full justice, are rendered all but useless by his intemperance of manner, and a certain unsoundness and obliquity of judgment almost akin to monomania. The idea has seized upon an energetic but unbalanced mind, whose genius is unleavened by a grain of common sense, that

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the Administration is a perfect Augean stable, and that he is the Hercules who is to sweep away its accumulated corruptions by the torrents of his eloquence. This might all be very fine, but unfortunately the premises of his whole theory are purely imaginary. He is a sort of political Quixote, and though a very meritorious gentleman in all respects but one, in that one contrives to make himself constantly an object of supreme ridicule. A parallel to all the adventures of the knight of the Sorrowful Visage might be easily and amusingly traced in Mr. Wise's career of knight-errantry during the last few years. This hallucination of Mr. Wise distorts and discolors every object to his jaundiced eye; and especially he himself is magnified into such colossal dimensions, that he seems to imagine *sublimi feriam sidera vertice!*

He afforded a ludicrous instance of this the other day, when he compared himself to the noble figure of Columbus in Persico's model exhibited last session! It was a magnificent figure, sublime and beautiful; the man elevated almost to the demi-god by the moral and intellectual grandeur of his character and achievements, holding a world in the palm of his hand; a timid Indian squaw crouches beneath him, attracted by curiosity and awe to peep at the godlike stranger, but ready to start off with affright the moment he shall turn his head. These were, according to Mr. Wise, *himself*—and the Administration majority in Congress!

Mr. Wise exerts no moral force in Congress; and his most violent tirades are often scarcely deemed worthy a reply. Proceeding from him they are considered to answer themselves. He is listened to with interest and amusement, but when he has resumed his seat, the business of the House proceeds as if his *vox et præterea nihil* had not been heard.

Near to Mr. Wise sits a gentleman with an unhealthy complexion, and rather singular face—one of the most remarkable men of the body. His hair, brushed back from his forehead, is long and curly; his eye is keen, stern, and intelligent; he generally dresses well, and his usual companion is a heavy ivory-headed cane. He appears to be a nervous man; one of those men of deep but quiet enthusiasm who never fail to make themselves both marked and felt, whenever they put forth the slumbering powers within them. This gentleman is Eli Moore, of the city of New York. He may be said to be peculiarly the representative of the mechanics of that city, at whose head he stands, as a prominent member of the Typographical Society, and lately president of his favorite Trades Union. Mr. Moore is a quiet, silent, reserved man; but beneath that apparent cold calmness glow feelings of an intense enthusiasm for the principles of democracy, and of a bitter strength against whatever he regards as tinged with an aristocratic tone. In chartered banks he recognizes the privileged superiority of a fortunate or favored

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few over the great mass of the community, analogous in spirit and moral effects to the iron feudal aristocracy of the olden time, and considers them the moral upas of the age. He was formerly a journeyman printer of New York; but, possessing talents and ambition, and an enthusiasm in a cause which can never fail to draw forth the sympathies and support of the mass of our people, he soon raised himself over the shoulders of other aspirants, and won a seat in Congress.

Last winter Mr. Moore made his debut. Gen. Waddy Thompson, of South Carolina, believing that he saw in the Trades Unionists and the mechanics of the north the two great moving forces of the abolition cause, made some very bitter remarks in the course of one of his peculiarly sarcastic speeches against those interests. The speech was published in due course of time, and possibly had passed out of the minds of those who had heard it; but Mr. Moore had not forgotten, far less forgiven, the attack. The harshness of the charges rang discordantly on his ear, and produced a high degree of mental and bodily excitement. In vain he daily left his sick room, and tottered into the hall, to retort upon General Thompson. The floor at that time was forever occupied. It seemed to be a springing-board for honorable members. Never before had there been so many to speak. The subject (abolition petitions) had aroused all the passionate, philanthropic, and partizan feelings of the House; the storm raged day after day, and angry glances and fierce words were exchanged on all sides; crimination and recrimination was the order of the day. The Speaker was compelled to bow his head to the howling hurricane, and permit it to rage in its full fury. Every man seemed to grow into vast pyramidal altitude in his own mind; and speak he must, or the country would be ruined.

At length Mr. Moore obtained the eye of the Speaker. There was quite a sensation in the gallery on the announcement. The large white-headed cane stood up with its master. The New York delegation was excited. Mr. Moore's reputation was high as a public speaker. I perceived at once that he was greatly enfeebled, but he seemed to nerve himself for his task. The House danced before his eyes: he saw but one object—the Speaker, in his black morocco chair, with his steady and earnest eyes fixed upon him. He commenced. His voice was remarkably strong. He laid down his premises with singular clearness, but wide of the subject-matter under consideration in the House. He took a review of the history of past ages; brought back to the mental vision the days of the feudal system,—the fortress, the tournament, the plume, the helm, the lance, the gilded spur. His speech seemed to glitter with all the gallant splendor and bravery of the olden chivalry. But then his lip curled with indignation, and his voice sunk into a tone of deploring eloquence, when he brought up the other side of the pic-

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ture—the serfs, with the iron collars around their necks. He pointed to the debased, enslaved multitude; and passing to a general application of the illustration to our own times, he proclaimed, in a voice tremulous with emotion, his creed to be founded in the equality of man. On this theme he enlarged, with a thrilling power of eloquence rarely equalled in that House. The impetuous force with which his reply bore upon the assailant, who had thus drawn him out, will not soon be forgotten. Mr. Moore's language was flowery and rhetorical: he possesses more genius than culture, and to one particular subject he seems to bend his thoughts entirely—that of the equality and rights of man. I understand that he has given himself up, of late, to deep application; and that when an occasion offers, he will splinter the lance of his cherished principles, against the system and mode of government as it is administered in detail.

I observed many among the auditors in the gallery who seemed to hang with rapture on his remarks. The whole House was excited at the novelty and boldness of his democratic doctrines, not less at the extraordinary manner in which he had turned aside from the current of debate, and struck fearlessly forward into a field to which few orators had before ventured to lead the attention of that body. I overheard some gentlemen from the south say, that they thought they heard the high priest of revolution singing his war song.

A bevy of members had gradually collected immediately behind the orator, whose voice still rang loud in the hall, in the midst of an impassioned passage. My eye was fixed upon him; I saw him grow paler than ever; till a deadly hue swept over his face; his hands were arrested in the air—he grasped at emptiness—a corpse seemed to stand with outstretched hands before the agitated crowd—his eyes were closed—he tottered, and, amid the rush and exclamations of the whole House, fell back insensible into the arms of one of his friends. Mr. Moore was borne from the hall. His wife had been watching him with emotions that may be imagined from the gallery. The scene had been worked up into a catastrophe, and never before had I seen the House so agiated as on this occasion.

Mr. Moore has never finished that speech; indeed he has not spoken since in the hall; his health is very bad, and I am under the impression that his friends will not allow him to address the House. He cannot control himself when he is up, and the consequence is that he soon becomes exhausted.

On the left of the Speaker, sits the Hon. Caleb Cushing, one of the members from Massachusetts. This gentleman has been in Congress several years, and ranks among the most prominent for talent. His politics are of the whig school.

Mr. Cushing is a young man,—not much over thirty. His person is of the middle height and well proportioned; his face intellectual and handsome; his eye quick and piercing. Mr. Cushing has the

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stoop of the student; and in varied literature and elegant and profound erudition, he has not perhaps his superior in the country. He has been a great traveller and almost every clime has been visited by him. In Italy he imbibed the classic tone of that spell-enchanted land, and his visit to France was followed by an able and spirited work, in two volumes, entitled "Review, Historical and Political, of the late Revolution in France." His "Reminiscences of Spain," two volumes, is a highly interesting work, and testifies equally to his industry and genius.

He has been a frequent contributor to the North American Review, for which work, at the early age of twenty, he commenced to write. Among his articles, which are always chaste and classic performances, I may particularly refer to that on the Legal and Social Condition of Women, in the January number, 1836, and a review of "Boccaccio," which at this moment occur to me, as favorable specimens of his style.

As a public debater Mr. Cushing ranks high, and is one of the most efficient men of the Opposition. His manner is calm, earnest, and subdued. He seems to have studied his mode of address, and if any thing, is too stiff and formal. His voice is guttural, and in attempting to arrive at a proper level, I think Mr. Cushing reduces his tones to too low a scale, and when he is up, it strikes the hearer that he is listening to a public lecturer, rather than an eloquent statesman pouring forth his thoughts to an American Congress. Whatever Mr. Cushing says, is characterized by purity of style and depth of reflection. On all subjects he applies himself with diligence, and his extensive learning enables him to speak sensibly and handsomely on all topics brought before the House. No man knows the history of his country better than this gentleman, as his able articles on Columbus and Amerigo Vespucci, in the North American Review, fully prove.

He is evidently a very ambitious young man, but his ambition is of a high and honorable character; and though the discovery did not fail to be made in his very early youth, and embodied in a happy epigram, by a lady of his native town, Newburyport, (not the least eminent among the lady poets of our day) that his name rhymed most harmoniously with "*pushing*," I have no fear that Mr. Cushing will ever use any other than means worthy of his high character, to "push" himself to those distinctions which would be the certain meed of his abilities, if his politics were of a more popular cast; though still it may be doubted if he possesses the peculiar qualifications requisite for a party leader.

The most striking display made on the floor of Congress, by Mr. Cushing, was during the last winter, when Mr. Hardin, of Kentucky, John Randolph's "carving knife whetted on a brick bat," attacked the character of the New Englanders, and attributed to them, in all

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their acts, grovelling and mercenary motives. Hardin was a most provoking and annoying enemy,—with his deformed finger, crooked like an audacious note of interrogation,—his livid face, peering with a sneering expression, into that of his adversary—a seeming arrogant tone of voice—his left hand thrust, country lawyer like, with due elegance and grace, into his breeches pocket—altogether he was enough to worry the most resigned; and had Job been afflicted with a speech from Ben Hardin, of Kentucky, he would have bounced, like a parched pea, from his stabular mound, seized upon the adjacent pitchfork, and scattered death and destruction around him.

Mr. Cushing replied to this philippic in a calm and fine speech. He reviewed the history of New England; proved her sons the worthy descendants of the sturdy old pilgrims of Plymouth, and wove a defence of such masterly strength and beauty, that even the heretofore unabashed Kentuckian had to be silent. That debate gave rise, in part, to an article in the North American Review for January, 1837, entitled "Misconceptions of the New England character," of which I 'guess' Mr. Cushing to be the author.

Our attention is now attracted to a ray of light that glitters on the apex of a bald and noble head, 'located' on the left of the House, in the neighbourhood of the Speaker's chair. It proceeds from that wonderful man who in his person combines the agitator, poet, philosopher, statesman, critic, and orator—John Quincy Adams. Who that has seen him sitting beneath the cupola of the hall, with the rays of light gathering and glancing about his singularly polished head, but has likened him to one of the luminaries of the age shining and glittering in the political firmament of the Union. There he sits hour after hour, day after day, with untiring patience, never absent from his seat, never voting for an adjournment, vigilant as the most jealous member of the House, his ear ever on the alert, himself always prepared to go at once into the profoundest questions of state, or the minutest points of order. What must be his thoughts as he ponders upon the past, in which he has played a part so conspicuous? We look at him and mark his cold and *tearful* eye, his stern and abstracted gaze, and conjure up phantoms of other scenes. We see him amid his festive and splendid halls ten years back, standing stiff and awkward, and shaking a tall military-looking man by the hand, in whose honor the gala was given, to commemorate the most splendid of America's victories. We see him again, years afterwards, the bitter foe of the same 'military chieftain,' and the competitor with him for the highest gift of a free people. We look upon a more than king, who has filled every department of honor in his native land, still at his post; he who was the President of millions, now the representative of forty odd thousand, quarrelling about trifles or advocating high principles. To-day growling and sneering at the House with an abolition petition in his trembling

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hand, and anon lording it over the passions, and lashing the members into the wildest state of enthusiasm by his indignant and emphatic eloquence. Alone, unspoken to, unconsulted, never consulting with others, he sits apart, wrapped in his reveries; and with his finger resting on his nose, he permits his mind to move like a gigantic pendulum, stirring up the hours of the past and disturbing those of the hidden future; or probably he is writing—his almost perpetual employment—but what? who can guess? Perhaps some poetry in a young girl's album! He looks enfeebled, but yet he is never tired; worn out, but ever ready for combat; melancholy, but let a witty thing fall from any member, and that old man's face is wreathed in smiles; he appears passive, but woe to the unfortunate member that hazards an arrow at him; the eagle is not swifter in his flight than Mr. Adams; with his agitated finger quivering in sarcastic gesticulation, he seizes upon his foe, and, amid the amusement of the House, rarely fails to take a signal vengeance.

His stores of special knowledge on every subject, gradually garnered up through the course of his extraordinary life, in the well-arranged storehouse of a memory which is said to have never yet permitted a single fact to escape it, give him a great advantage over all comers in encounters of this kind. He is a wonderful eccentric genius. He belongs to no party, nor does any party belong to him. He is of too cold a nature to be long a party leader. He is original —of very peculiar ideas, and perfectly fearless and independent in expressing and maintaining them. He is remarkable for his affability to young persons; and, surrounded by them at his own table, he can be as hilarious and happy as the gayest of them. For one service, at least, his country owes him a debt of gratitude. I refer to the fine illustration which he afforded of the true character of our institutions, when he passed from the presidential palace to his present post on the floor of the House of Representatives. Though the position which he has there made his own may not be that which his friends might wish to see him occupy in that body, yet in every point of view the example was a fine one.

His manner of speaking is peculiar; he rises abruptly, his face reddens, and, in a moment throwing himself into the attitude of a veteran gladiator, he prepares for the attack; then he becomes full of gesticulation, his body sways to and fro—self-command seems almost lost—his head is bent forward in his earnestness till it sometimes nearly touches the desk; his voice frequently breaks, but he pursues his subject through all its bearings; nothing daunts him—the House may ring with the cries of order—order!—unmoved—contemptuous—he stands amid the tempest, and, like an oak that knows its gnarled and knotted strength, stretches his arm forth and defies the blast.

Opposite to Mr. Adams, on the right of the Hon. Speaker, sits a

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small man, who is engaged in the perusal of a huge mass of documents; occasionally he applies a double quizzing glass to his eye, raises his head and gazes earnestly around the hall. He is bald on the crown of the head, his forehead broad and high, and more striking than the lower part of his face. This gentleman is the Hon. C. C. Cambreleng, of New York, chairman of the committee of ways and means, and by his political opponents styled "the leader of the Administration party in the House." Mr. Cambreleng sits in warm quarters, for immediately before him are Messrs. Bell, of Tennessee, and Wise, of Virginia.

Mr. Cambreleng is as regular in his attendance in the House as Mr. Adams. As soon as the Speaker raps with his ivory stamp upon the table, and calls the House to order, Mr. Cambreleng is seen to apply his glasses and scrutinize the members present. He seldom converses with the other members, scarcely ever leaves his seat, but busies himself in the examination of papers; nor does he appear to pay the slightest attention to debate, and yet he never permits one word to escape; and should anything be said peculiarly unpleasant, from a political opponent, he is up, ready for a retort. Mr. Cambreleng's manner of elocution is sometimes a little inflated, but he is remarkably fluent, and his language is always chaste and appropriate. He is one of the ablest and most efficient members of the House; his consistency in an honest democratic creed of politics, his boldness and clear-sightedness, have placed him in a commanding position before the country. A statesman's real calibre for talent, importance, and future prospects, may, in general, be safely measured by the amount of abuse of which his opponents think him worthy. Judged by this rule, the Hon. C. C. C. (sometimes bitterly styled by his enemies of classical reading τρία κακκα κάκιστα) is certainly stamped at once as one of the most formidable men of his party in the House, and before the country.

Dressed in a full suit of black, with a black silk bosom, light hair, and sunny face, the Hon. Ogden Hoffman, of New York city, has risen to address his maiden speech to the House. Mark with what graceful emphasis he delivers himself;—how musical his voice, though without much compass;—how apposite his gestures! A crowd has gathered around him; he evidently makes a sensation. He is bitterly opposed to the administration, and gives utterance to his sentiments with peculiar eloquence. As he sits down, the Hon. Mr. Preston, of the Senate, shakes him by the hand. The last time I had heard Mr. Ogden Hoffman speak was in New York, on the occasion of the great democratic victory of the election of General Jackson and Mr. Van Buren, of whom he had been an ardent supporter, not quite one little lustre ago. I shall never forget the brilliancy and force of his eloquence at that period on that theme. However, the theme and the side are, it is to be presumed, immaterial

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to so ingenious a young lawyer. He was one of those 'weaker vessels' who fell away from the truth during the panic period—that time that tried men's souls. In the city of New York, the tempest ran so high, and superior powers of clamor gave the bank cause such an apparent advantage, that many considered the democratic party there prostrated forever, and lost no time in being "off wi' the old love" and "on wi' the new." Among these, Mr. Ogden Hoffman was perhaps the most conspicuous, as he doubtless considered himself one of the most sincere and patriotic. It is a pity, however, that such fine talents must hereafter be paralyzed by such a position. It can never be possible for him to exert any great moral force, whether in or out of Congress, in opposition to Mr. Van Buren's administration. The ghosts of his not yet forgotten sentiments and speeches (all murdered by that one ruthless blow, the removal of the deposites,) must rise up too often in judgment before him, when on the eve of any intended exertion, with the depressing omen—

Let me sit heavy on thy soul to-morrow!

ENIGMA.

The lightest and the softest thing
That floats upon the zephyr's wing,
I move with unresisting ease,
Before the breath of every breeze.

With power resistless and sublime,
I sweep along from clime to clime,
And I defy all earthly force
To intercept me in my course.

A favorite guest with all the fair,
I play with Beauty's twisted hair;
And harmless as the gentlest dove,
I share the couch of happy love.

'Tis mine to hurl the bolts of fate,
That overwhelm the guilty great;
I wield the giant arm that brings
Dismay and death on tyrant kings.

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No throb of passion ever pressed
The vacant chambers of my breast;
And no desire nor dream of care
Could ever gain admittance there.

With passion's various fires I burn;
And all, as each prevails in turn,
With equal rage incessant roll
Their boiling currents through my soul.

In Folly's lap I had my birth,
The simplest creature on the earth;
At Folly's bosom I was nursed,
And am as simple as at first.

The wisest own that I am wiser,
And sages make me their adviser;
The great demand my prudent cares,
To aid them in their state affairs.

I boast but little outward grace,
For frequent stains deform my face;
And when I bathe, though strange it seems,
I seek from choice the foulest streams.

I soar to fields of liquid light,
Where rainbows glow and stars are bright;
I sun me at their spotless fires,
And sport amid the heavenly choirs.

The nameless being of a day,
I barely am, and pass away;
Nor leave a trace behind, to be
The record of my history.

No chance or change has power enough
To harm my life's perennial stuff;
For I have built my throne sublime
Upon the wreck of conquered Time.

A. H. E.

Boston, Mass.

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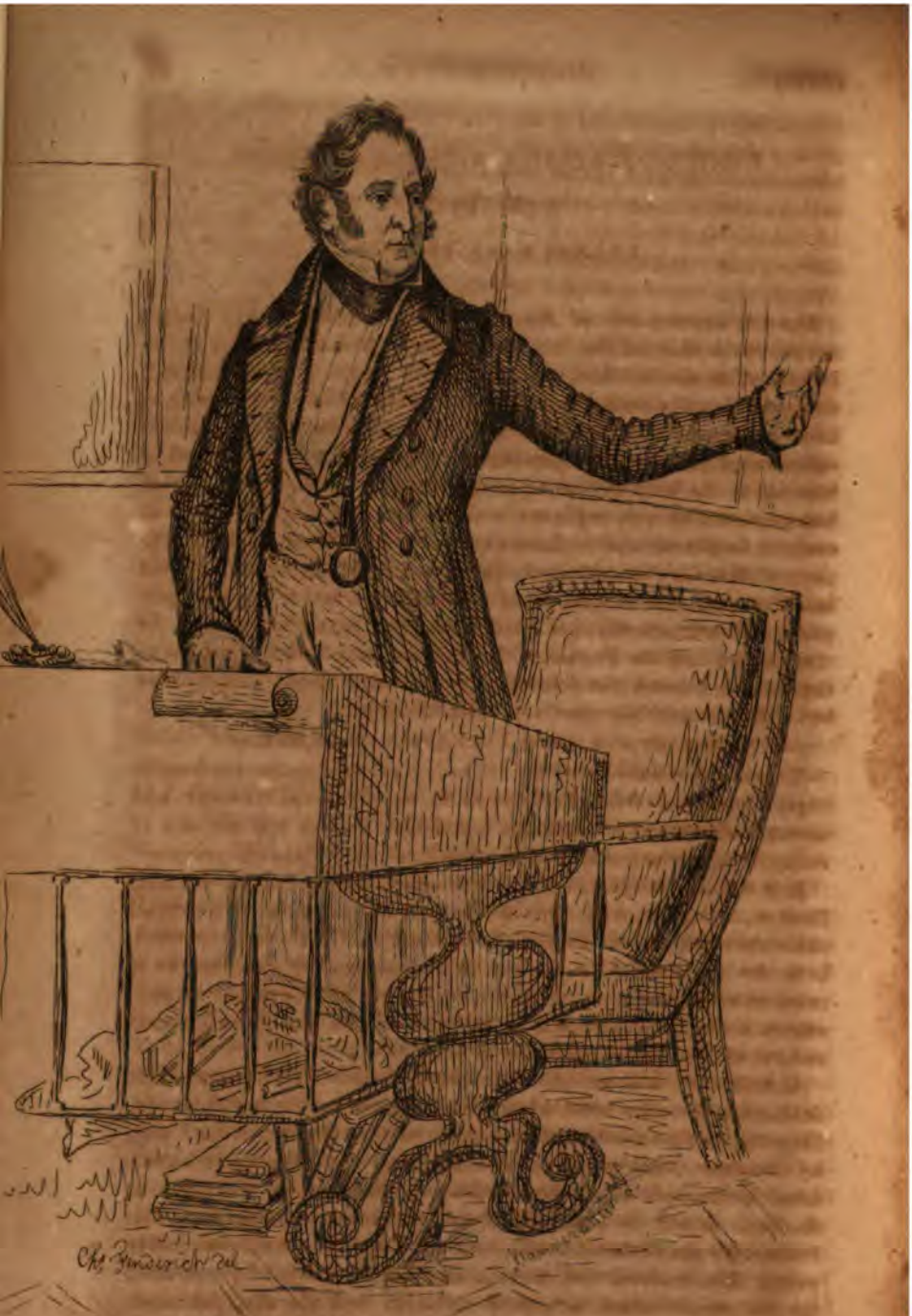

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POLITICAL PORTRAITS, WITH PEN AND PENCIL.

(No. I.)

THOMAS HART BENTON.

On the seventeenth of January, eighteen hundred and thirty-seven, at the close of the long debate which had taken place in the Senate of the United States on the famous "expunging resolution," shortly before the vote was to be taken,—of which the issue had not been left doubtful by the previous imperative decision of public opinion,—Col. Benton, of Missouri, rose in his place, and addressing himself to the Vice President in the chair, in the course of a brief but emphatic speech, referring back to the scene which had been enacted on the same spot three eventful years before, on the adoption of Mr. Clay's memorable resolution of condemnation of the late President for the removal of the deposites, and to his own prophecy, then fearlessly hazarded, that that resolution should be "expunged" by the People of the United States from the journal of the Senate, uttered the following well-known words, which have become imperishably associated with his name:

"SOLITARY AND ALONE I SET THIS BALL IN MOTION!"

This is the moment that the artist has selected as the most strikingly illustrative of the character of the Senator from Missouri; and no one who has ever seen and heard Col. Benton will hesitate in recognising the features, air, and attitude, of the "Great Expunger."

It is not our design to write a life—much less an eulogy—of Col. Benton. In presenting him as the first of the series of personal sketches of our most conspicuous public men, (of all parties) which is to be continued *ad infinitum* in our succeeding numbers, he is selected chiefly on account of the very remarkable position of prominence which he occupies, in connection with the great financial reform of the Government now in progress.

Col. Benton is about fifty-four years of age. His senatorial life dates from the year 1820, when he was elected by the legislature of Missouri, before the formal admission of that State into the Union by Congress. He had removed to Missouri about five years before, from Tennessee; where he had immediately risen to distinction at the bar. It will be remembered that the representatives from that State were not admitted to their seats in Congress till the succeeding year. The interval Col. Benton devoted to study, in preparation for the career which a worthy ambition had already, doubtless, marked out before him, in public life. Within that time he made himself master, in particular, of the Spanish language, and, to a considerable extent, of its literature. He early rose to a prominent

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position in the Senate; and his speech at the session of 1823–4, on the bill which (as chairman of a select committee) he introduced, to amend the Constitution with respect to the mode of the presidential election, was one of remarkable ability and force. It is replete with sound and ardent democratic sentiment, and may perhaps be said to contain the key to his subsequent political life. It contained but one erroneous position, of which experience was not long in demonstrating the fallacy. Though he was opposed to the practice of choosing the presidential electors by general ticket, or by the legislatures of the States, as he was, in fact, to the whole system of an intermediate electoral body between the people themselves and the object of their choice for that high dignity, yet he was in favor of the umpirage of Congress, in the case of a failure to elect a majority candidate by the people on the first trial, with a single equal vote to every State, without reference to population. This was, in our opinion, carrying the State-Rights principle (our sheet-anchor when not abused) to an improper extreme, and implied a confidence in Congress, for the exercise of that dangerous power, neither justified by first principles nor by subsequent experience. On this latter point he found himself in natural opposition to Mr. Van Buren, being representatives the one from one of the largest, and the other from one of the least populous, States of the Union. Mr. Van Buren was then, as he has ever since been, in favor of a second appeal to the popular vote. In the course of his speech, however, Col. Benton paid a handsome personal tribute to his eminent opponent.

Col. Benton sat on the same committee (Military Affairs) with Gen. Jackson, of which they were both very industrious and valuable members, the latter being the chairman. Here was necessarily renewed some portion of that intercourse which had in former years been of the most friendly and intimate character, but which had received an unhappy interruption from an occurrence too well known to the public to need further allusion. It was still many years, however, before it did or could resume a tone at all resembling its former character; and, in fact, no personal explanation of that occurrence, nor allusion to it, ever passed between them until one or two evenings before President Jackson's departure from this city to the Hermitage last March. That conversation was of a very solemn and affecting character. Long since, indeed, had every trace disappeared from the bosom of each, of that hostile feeling which had had its origin, on Col. Benton's part, only in the exasperated affections of a brother, and the pernicious influence of that pest of society—*mischief-makers;* and which, on the part of Gen. Jackson, the frank, manly, warm-hearted soldier, may be said never to have had an existence; and its place had been resumed by the memory of early friendship, mutual services, and the equal confidence of each in the honor and integrity of the other.

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Col. Benton continued a determined member of the Opposition during the term of Mr. Adams, as he has been one of the main pillars of support to the democratic Administration which succeeded it. It is not necessary to specify the particular occasions on which he has distinguished himself in his parliamentary life. The events are so recent, as they were striking, that they are doubtless fresh within the memory of most of our readers. The panic session cannot, however, be passed without a brief notice. In this Col. Benton sustained, unaided, except by the support of two or three gallant friends, (of whom the present Secretary of State was, perhaps, the most effective in impromptu debate,) the whole brunt of the tremendous attack with which the Administration was then assailed, with a fury and powerful array of talent and eloquence never before witnessed in any legislative body. His services then rendered to the democratic cause can never be forgotten, and never repaid, except by the proud consciousness of the eventual triumph by which they have been so signally crowned. His controversy with Mr. Clay, in the famous Veto debate in 1832, affords, perhaps, as striking a specimen of his powers in this kind of gladiatorial encounter, as any that could be selected. If on that famous field either party may be said to have been borne worsted to the ground, it certainly was not the democratic orator, whose *panache* rode proudly, like that of Henri IV, above the tide of the battle, unbowed and unsullied.

Col. Benton is by birth a North Carolinian, being a native of the county of Orange, and sprung emphatically from the people of that sound republican State. In fact, North Carolina has been singularly illustrious in the number of great men that she has contributed to the young States of the west and south. At various periods within the history of the Government, she has been able to claim as her native sons more than half a dozen of the Senators in Congress; and at this time she has on the same floor not less than eight members, who may be fairly estimated as among the first men of the day. Even Ohio, in the person of the *youngest Senator*, has sent a North Carolinian; and Alabama, Mississippi, and Tennessee would seem almost to believe that none other than a native of that State can do justice to the dignified functions of an American Senator.

The ancestors of Col. Benton were among the leaders of the Revolution of 1775, and contributed in every way to the service of their country. The family of the *Hart's*, from which he is descended on the mother's side, was one of the most active in the State in furtherance of the settlement of Kentucky, which was originally commenced in North Carolina under the name of the Transylvania Colony; and it is sometimes cited by North Carolinians, with no little pride, that the people of that State (and among them the *Hart's*) were the real *backers* of the famous Daniel Boon. Col.

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Benton may thus claim to be a hereditary defender of the liberties and the rights of the people; and for this purpose, a reference back to a man's ancestry may be not only proper, even for a democrat, but praiseworthy, as an honorable incentive to zeal and devotion to the same good old cause.

He is, and has ever been, most emphatically a democrat. He has been faithful to this principle from the outset of his public life, as it will prove faithful to him before its close. He has been a deep student of the history of our Government, as of all ancient and modern times, for the great purpose of sustaining the popular cause against all aristocratic usurpation, under whatever form disguised. He is no parlour politician. He does not come from the palaces of cities, or the elegantly furnished chambers of 'Offices of Discount and Deposite.' His constituency is to be found among the hardy and true-hearted pioneers of civilization, in the farthest south and west. His earliest sympathies are with the ploughman and planter of the land, and his political creed is embued with the honesty and simplicity of their lives. His eloquence in debate he caught from the strong native feeling and sagacity of those who till the soil, and substantially produce all the annual wealth of the nation, and not from the specious sophistries which so many of our American statesmen imbibe insensibly from the legions of speculators of every hue and variety—subsisting in reality on that great producing mass—with which our cities swarm. We repeat that it is this arduous devotion to the service of the democratic cause, in opposition to all encroachments on the plain original principle of equality of rights, which has gradually raised the Missouri Senator to his present commanding position, and has given such distinguished *éclat* to his name throughout the whole American Union.

Perseverance, that attribute of all truly great and powerful minds, has through life been a remarkable trait of Col. Benton's character. Establishing his principles at the outset, basing them all on an unwavering faith in the intelligence and integrity of the people, and guiding his course by the single polar star of the democratic principle, he goes fearlessly forward on his own path, equally unmindful who may oppose or who may follow. He reaches his position, and takes his stand there, waiting for public opinion to come up to him, however far distant it may seem to lag behind; he does not go back and linger and hesitate with it, but devotes himself, with all his energies and industry, to hasten it forward and quicken its developement. Such a man must necessarily for a long time stand alone; and it requires a high degree of moral courage, firmness of purpose, and conscientious belief of the truth of his principles, to maintain such a position. He is for a long time regarded, even by the great body of his own friends, as a visionary *ultra*—as a theorist whose views are too wild for practicability; enemies will

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doubtless christen him and his ideas as a stupendous '*humbug*;' but in the end the progress of events and of public opinion will probably come up to his position, and the consequence will be that he will then stand forward as its most prominent representative.

Such are the men that work great revolutions and reforms; though whether, when they have achieved that their mission, they are found to combine with that impulsive energy, which has thus far been their leading attribute, those other qualities suitable to the regulation and conduct of affairs afterwards, on which alone a perfect and safe public confidence can be based, remains a question to be dispassionately considered, and on which we do not pretend to pass an opinion. It is very certain that the authors of revolutions have not unfrequently been those on whom the public confidence would be the last to fix as the most suitable persons to preside over the action of the new state of things established by them; and many instances might be pointed to in which, after having been so selected by the generous impulse of popular gratitude, they have proved far from competent to this new and widely different duty. Of this, however, the public opinion, the *vox populi*, is the best and the only proper judge, and it would ill become us to attempt to forestall it in the slightest degree.

There is a great deal of popular misapprehension of Col. Benton's views of financial science, at present the principal question on which the two great parties of the country stand at issue. They have been so long and so loudly denounced as violent and absurd, in the extremes to which they go, that, notwithstanding our repeated experience of the rule, that Opposition party clamor against a prominent man ought to work by *inverse proportion*, some considerable effect has certainly been produced unfavorable to the distinguished Senator, even upon his own party. This effect is somewhat analogous to the cases of Jefferson, whom some good people were honestly made to imagine all that was unprincipled, both in his public and private capacity—of General Jackson, whom many actually supposed an illiterate ignorant dotard, whose stubborn honesty was his only good quality—of the present incumbent of the same elevated office, whom not a few, even of his own party and friends, have been made, by dint of reiteration and positive assertion, in the very face of repeated facts, to believe a rather timid and time-serving politician, forgetful that moral courage is most concentrated when calmest, deepest when most quiet. Col. Benton's views, though much misrepresented, have never pointed to a compulsory abolition of all paper money, or the destruction of banks. The disconnection of the Government from the banking interest—the restrictive influence which would be exerted by confining the fiscal action of the Government to the currency contemplated by the constitution, to moderate the constant tendency of paper money to excess and abuse—and the reform

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of the anti-republican *monopoly* feature of the system, as it has hitherto existed—comprise the substance of the views which have often been denounced as *ultra* and impracticable, as entertained by Col. Benton. The constitutional currency for the minor purposes of life—credit paper for the larger operations of commerce, for those who choose to use its facilities with their eyes open and the privilege of choice—is acknowledged by all the divisions of the democratic party who have followed united under the flag of reform of the late administration, as the common creed; the only difference of opinion is as to the mode of carrying it into effect—a difference of opinion which need not, and cannot, long remain a subject of serious party division.

We have devoted a former article to the life and character of Nathaniel Macon, one of the purest, wisest, and best democrats, both in theory and practice, that have ever lived. The confidence of such a man would be alone a sufficient testimonial of integrity and patriotic worth to any member of the great party of which he was long one of the most venerated patriarchs. Between him and Col. Benton there subsisted the most cordial friendship. In Mr. Macon's will was a bequest to Col. Benton of a pocket-knife that had been given him by his old friend John Randolph. There are some circumstances connected with this famous knife which attach a peculiar interest to the bequest, and which we shall be excused for detailing. The universally pacific character of Mr. Macon is well known; and the good old man was wont frequently to say that he had passed through the whole course of his active life without a personal collision with any one of his fellow-citizens. To this there was but one single exception, when he was compelled to use a weapon in defence, not of himself, but of his friend Randolph. The occasion was at the theatre in Philadelphia, in 1799, when several officers of the army made a personal assault on the Virginia orator, against whom they were (naturally enough) exasperated, for having denounced them in debate, in one of his well known speeches of slashing sarcasm, as "*a pack of ragamuffins!*" Mr. Macon, drawing a small pocket-knife, instantly sprang upon the assailants, whom he routed from the contest; and it was in allusion to this incident, so strongly illustrative of his friendship, that Mr. Randolph presented him with this larger knife. It has "Nathaniel Macon" engraved on the handle; and seems designed for the most substantial purposes. There were few things about his house that Mr. Macon prized so highly as this relic of his Virginia friend, of which he frequently spoke, recounting the various uses to which it might be put; adding sometimes that it was a particularly good knife to "*rip up*" things, and was worthy of belonging to a man of *work* and courage; and therefore he bequeathed it to his old friend, Benton, who had likewise been the friend of Randolph.

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In all the domestic relations of life, Col. Benton is a remarkably exemplary man; he is highly fortunate and happy in his family. He mixes little in general society, being but rarely tempted by any of its attractions from his own fireside, his family, studies, and the public business to which his zealous attention is unremitting. In person he is large, robust, of florid complexion, and powerful frame, capable of enduring fatigue, both mental and physical, under which but few other men could bear up. His reputation has been frequently assailed, with reference to his early youth, with slanders utterly false and base, of which he has never condescended to take the slightest notice,—imitating, in this self-confident scorn of such unworthy assailants, the example of the great founder of his political school, Jefferson.

One remarkable trait of his public life deserving of notice is the elevation of his ambition above the attractions of *office*. No one can doubt that during the late administration, his wish could have readily commanded from Gen. Jackson, to whom he rendered a support made, by their peculiar personal relation, so honorable to both, almost any such gratification within the gift of the latter. He has always, however, preferred to any other the seat which he has so long occupied in the Senate of the United States, as the post (during all that time) of the highest usefulness to the cause of his principles, and therefore of the highest honor.

In the style of his oratory, Col. Benton is forcible, and very effective in the powerful struggle of debate. His manner is rhetorical, and he is at times too diffuse. He is often singularly happy in his metaphorical illustrations, in which he is very abundant, though he is sometimes hurried, in the flow of his language, into metaphors which, once entangled in them, it is not easy to manage very gracefully. A progressive improvement in his oratory has, however, been very evident within the last few years, his taste being purified from some bad habits of style by which it was formerly disfigured. He may be said literally, according to the well known maxim of Cicero, to have made himself, as an orator, having had to struggle against the apparently natural disadvantage of an incorrect and false taste. We have heard the remark made by one of his friends, that his best speech will not be delivered for ten years yet to come, and that he will have attained the age at which Cicero achieved his highest triumphs, before he will have brought out all the capacity of eloquence within him. He is laborious in preparation of his materials, as he is usually luminous and forcible in their arrangement and use. Some of his best efforts have, however, been entirely extemporaneous. He has that faculty indispensable to greatness, a strong memory; and his extensive reading, and particularly his familiarity with all ancient and modern history, often supplies him with happy and striking illustrations of his positions. But his

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great strength consists in the sincere force of his own convictions; in his unhesitating confidence in the eventual support of his opinions by the verdict of the public judgment; in the firmness and earnestness of his own will; in the accumulation of facts which he brings to bear upon his subject, driving his nail home with repeated blows of a hammer that tells whenever it strikes. He is not generally esteemed a pleasing speaker, we believe, by the frequenters of the Senate galleries; but in that body itself he often carries great weight, and there can be no doubt that his speeches within the last six or eight years have told with a more abiding effect on the mind of the country at large than those of any other individual.

EPITAPH.

FROM THE GREEK ANTHOLOGY.

Δάκρυά σοι καὶ νέρθε διὰ χθονὸς, Ἡλιοδώρα, κ. τ. λ.

Tears, Heliodora, still—for tears alone
  To soothe this wrung heart's bitterness remain—
Thy father's love bestows, though thou art gone
  Where love's last tribute follows thee in vain.
Here at thy tomb, where my lone heart is keeping
Its ceaseless watch of memory and of weeping,
Flows still the bitter stream, and still must flow,
Of yearning griefs that solace ne'er may know.
'Tis I, Meleager, thy sire, whose breath
Pours this vain wail, my lov'd one still in death!
Ah me! ah me! where is my sweet young flower,
  Whose opening bloom so lovely on it blushed?
Torn, torn away, by Hades' ruthless power,
  Fall'n in the dust it lies, all soil'd and crushed!
But, fount of universal life, ah mother mild,
Gently, oh Earth, within thy bosom fold my child!

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EUROPEAN VIEWS OF AMERICAN DEMOCRACY.

M. DE TOCQUEVILLE.

The distinguished German historian, Heeren, has bestowed the honor of a notice on the first volume of Mr. Bancroft's excellent History of the United States, in which he remarks that the publication of that work is very opportune, at a time when our country has become an object of general curiosity and attention throughout Europe. That such is the case is amply shown by the number of books upon our manners, institutions, and history, that are constantly appearing in Europe, and are received with the greatest avidity. We have before us several which have come out within the last year or two, including those of De Tocqueville, Beaumont, Chevallier, Grund, and last though not least, Miss Martineau. We propose, in this and our following numbers, to take some notice of these publications; beginning with that of M. de Tocqueville, entitled *Democracy in the United States*, decidedly the most remarkable and really valuable work that has yet appeared upon this country from the hand of a foreigner. As this comparative distinction may not, however, convey any very enviable praise, we will add, in evidence of its high appreciation in Europe, as a work of genius and philosophical observation, the testimony of M. Thiers, well known as a man of the highest political as well as literary eminence, who is reported to have said publicly in his place in the Chamber of Deputies, when Prime Minister of France, that he thought himself happy to have lived in the same age that produced this book. Although this may be referred to equally as a specimen of French hyperbole, yet, from such a source, on such an occasion, it was evidently no unmeaning compliment. Sir Robert Peel, also, and other high English authorities, have expressed themselves with equal emphasis. In this country, on the other hand, it may well be a subject of surprise that it has received but little public notice; a singularity, in respect to a work of its character, which may be accounted for, partly by its being written in a foreign language, and in a rather abstract and scientific form; and partly, perhaps, by the fact, that while its general scope and spirit are, on the whole, very favorable to our institutions and character, it is not enlivened by any admixture of that attractive *sauce piquante* of scandal and abuse, which has secured for so many trashy productions a notoriety, with which the whole country has rung, during the allotted term of nine days for the existence of such ephemera. There is nothing, however, more important to us, in the way of political information, than

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the observations of a truly intelligent foreigner, upon the structure and operation of our government; and we have thought that we should render an acceptable service to our readers, in bringing this work under their notice, although it has been already for some time before the public.

M. de Tocqueville, it will be remembered, is one of two commissioners, the other having been M. de Beaumont, who were sent out some years ago to this country by the French Government, to examine our prisons and penitentiaries. On their return to France, they made an able and satisfactory report to the government upon the subject, which was published in a pretty large octavo volume; and which has already produced an extensive reformation in the prison discipline of the enlightened country for whose benefit their observations were made. Each of them has since published a separate work, embodying observations of a more general kind on the social and political institutions of the country, and the manners of the people. That of M. de Tocqueville is the one now before us; and it is said that he has been encouraged, by the success of this work, to retire from the law, for which he had been educated, and devote himself exclusively to literature. The most valuable results may be anticipated from his future labors; and we look forward with particular interest to the appearance of another work on this country, which he announces as in preparation, and which will form the sequel of his *Democracy in the United States*. In point of style alone, this is a work of uncommon merit. M. de Tocqueville's manner seems formed on that of Montesquieu, and he writes with great beauty, force and elegance; while, at the same time, he avoids entirely the inflated and rhetorical tone, which is the besetting sin of the best French writers of the present day. Apart from the mere choice of words and forms of language, the style of this work is also highly worthy of commendation for its uniform tone of dignity, seriousness, and good faith. In this, as in most other respects, it contrasts advantageously with that of the great majority of foreign works on this country, in which the gravest interests of society are habitually discussed with the flippancy of the worst newspapers. M. de Tocqueville has been led into errors, not always unimportant, in part by the prejudices of some of the circles of society into which he naturally fell—in part by the mere effect of the imperfect observation and hasty generalization, which, to a certain extent, are almost unavoidable in this kind of writing. But there are no faults in his book which are not entirely consistent with great powers of thought and language, the most upright intentions, and an uncommon freedom from the class of prejudice to which the race of travellers are more particularly liable.

The general object of M. de Tocqueville is to ascertain the results of the principle of *democracy*, as applied to practice in the United

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States, with a view to the instruction of other countries, and particularly his own. He remarks in his introduction that, on arriving in America, he was struck very forcibly with the general *equality* of conditions, and on farther observation and reflection, was fully satisfied that this is the substantial fact which lies at the bottom of our political institutions. Having come to this conclusion, he thought he could perceive, on turning his mind back to the state of things in the other hemisphere, a general tendency towards a similar equality of conditions. In illustration of this idea, he traces at considerable length the changes that have taken place in the structure of society within the last five or six centuries—all of them indicating the progress of the democratic principle, and the constantly increasing influence of the mass of the people, as compared with that of the hereditary privileged orders of the feudal times. This tendency he considers as *providential*—that is, as a result of general and not accidental causes, and as being consequently in a great measure beyond the control of any one generation. The ultimate ascendency of the democratic principle is inevitable: it is the part of wisdom, not to attempt to prevent it, but rather to facilitate it by anticipating and, as far as may be, providing for the changes which it will naturally bring about. To aid in this is the object of the present work. The mind of M. de Tocqueville expands with a feeling of sublimity under the contemplation of this glorious and inspiriting truth; and, to use his own phrase, he writes under the influence of a *religious awe*, inspired by the contemplation of this great revolution, the results of which, as of all great revolutions, the French philosopher gratuitously, and we think invidiously, presumes to be necessarily uncertain. He is not the panegyrist of the United States, as leading this mighty moral movement; nor is he a bigoted admirer of democratic principles and forms of government. He is no believer in the absolute goodness of any laws; the practical goodness of laws, in his opinion, being in fact nothing else than their fitness to the state of society in which they exist. He does not even think it necessary to decide whether the great revolution, which he supposes to be in progress, is beneficial or injurious to the cause of humanity. He takes it as a necessary event; and, in order to aid in turning it to the best possible account in Europe, he endeavors to inform himself of the actual results of the democratic principle as applied to practice in the community in which this principle has been adopted in the purest form, and with the least admixture of foreign materials. In the United States, therefore, he studies, not merely the institutions of the United States as such, but *democracy* itself—its nature, its inclinations, its passions, its prejudices. He endeavors to ascertain these, that he may at least show what there is to hope and to fear from the future ascendency of the principle in Europe.

These, it must be owned, are views of a very different scope and

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character from those of the common tribe of tourists in America. The difference between M. de Tocqueville and such writers is nearly the same with that which, according to Racine, existed between himself and a contemporary poetaster named Pradon. "The difference between Pradon and me," said the great author of the Phèdre and Athalie, "is that I know how to make verses." The difference between M. de Tocqueville and our common herd of travellers, is, that when he speaks of principles of government, he knows what he is talking of. His remarks upon the universal tendency towards an equality of condition were probably intended to be applied chiefly to western Europe, and especially to his own country. It is one of the remarkable features of the present state of the world, that it exhibits the two great principles of government—*liberty* and *despotism*—exemplified in practice, face to face with each other, in a purer form and on a more extensive scale than they have ever been before. While the free states of other times and countries have been mostly single cities, or confederacies of cities, inferior in power to the monarchies by which they were surrounded, the United States of America offer the splendid spectacle of a whole continent administered on the principle of pure, unadulterated *liberty*. In the great military empire of Russia, on the other hand, *despotism*, stretching her giant grasp over the vast extent of two continents, and developing the richness of resources and energy of action that belong to the youth of nations, wears perhaps a more imposing, and, to those within the sphere of her influence, a more dangerous aspect than she has ever worn before. But still, while we believe the principle of *democracy* to be established firmly and forever as the political faith of the whole western continent, and as destined, at no distant time, to obtain the ascendency in the west of Europe, we cannot but cherish the hope that it is destined also to conquer to itself, with a certain, though slow and toilsome progress, the eastern half of that continent.

The principle of despotism, although firmly seated, to all appearance, on the throne of the Czars, and sustained by the two great central monarchies of Austria and Prussia, as well as by strong internal parties in all the more western states, is far from being fixed, even there, with a triumphant security of calculation: and while it can never (by an immutable moral law) recover the ground already lost in these States, it seems even less likely to be soon obliged to surrender more. The defeat of the stupendous assault made upon it by the genius of Bonaparte established it there on a broad and deep foundation, which the silent action of time alone can now hope to undermine. Traitor as he proved personally to the cause of the democratic principle, which alone lent him the moral power he so faithlessly abused, Napoleon was its virtual representative and commander-in-chief in monarchical and military Europe. His long wars with the hereditary sovereigns were more than the shocks of ambitious kings or rival

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nations contending for temporary triumph. They were the struggles of adverse principles for permanent ascendency; and when his truncheon was finally broken at Waterloo, Democracy felt that her hopes in the old world, for an indefinite period of years, were physically defeated and deferred, and turned her eyes to the west, as her future field of conquest and seat of dominion.

M. de Tocqueville,—although, in applying his observations on this country to the state of things in Europe, he keeps his eye chiefly on France, where the tendency is strong towards democracy,—does not lose sight of the opposite tendency in another quarter, and expresses in the closing paragraphs of his work substantially the same opinions as those here stated.

"There are at this time two great nations in existence, which, proceeding from different points, appear to be advancing towards the same end:—I mean the United States of America and Russia.

"Both have grown up in obscurity, and while the minds of men were occupied elsewhere, have taken their places at once among the powers of the first class. The world learned at the same time their birth and their arrival at maturity.

"All the other nations seem to have reached very nearly the bounds which nature marked out for them, and have nothing farther to do but to keep what they already possess. These two only are still in progress. All the rest have either stopped or advanced very slowly and with great efforts. These alone are marching forward rapidly with giant steps in a career to which the eye can as yet discern no limit.

"The American struggles with the obstacles opposed to him by nature: the Russian has to do with men. The enemies of the former are the wilderness and its savage tenants: of the latter, civilization clad in all its arms. Hence, the conquests of America are made with the plough: those of Russia by the sword.

"The American depends chiefly on self-interest to effect his objects, and leaves the individual to act almost without direction. The Russian concentrates in one man the whole power of society. The main principle of the former is *liberty:* of the latter, *despotism.*

"Their respective points of departure are different: they move in opposite directions; but each seems to be called, in the secret designs of Providence, to hold in its hands at some future day the destinies of half the world."

M. de Tocqueville traces the *equality*, which he remarked as the principal result of our institution, to its origin in the *point of departure* of our people; that is, in the character and habits of the first settlers. He then gives a very complete and correct summary of the form of the government, including an outline of the Federal and State constitutions, and also of the general organization of counties and municipalities in this country. These topics occupy the first volume. The second is distributed into ten chapters, under the respective titles of the real Sovereignty of the People—the State of Parties—the Liberty of the Press—the Government of the Democracy in America—the advantages of a Government on Democratic Principles—the Omnipotence of a Majority, with the causes which operate as a check upon its power; finally, the circumstances that tend to maintain a democratic government, and the probable future condition of the population of the United States, considered under

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the three great divisions of Indians, Africans, and Europeans. The last chapter includes an inquiry into the probable duration of the present political constitution and the union.

It will be seen from this outline, that the principal object of the author is to examine and describe the character of the government, taken in its largest sense, so as to include not merely the manner in which the public affairs are administered, but the indirect influences by which the administration of them is, to a certain extent, modified and controlled. The private relations of individuals, and the way in which they are affected by the character of the government, are topics reserved for the author's intended future work. The object of the present is merely an exposition of the manner in which the democratic principle is applied to practice in the United States. The first volume describes the *direct* operation of the principle, through the formal arrangements of the Federal and State Governments; the second its *indirect* operation through the press and otherwise, together with the general results of both, as exhibited in the character of the public functionaries and the aspect and spirit of the administration.

These important topics are treated by M. de Tocqueville with much ability. His tone is, on the whole, decidedly favorable to the cause of democracy. It is evident, however, that his views of persons and things were in some respects unfavorably modified by influences of which he was himself unconscious, and from which few European travellers among us can escape. In speaking of the character of political parties, M. de Tocqueville correctly remarks, that however various may be their origin, and apparent or immediate objects, they all resolve themselves ultimately into one or the other of the two great divisions of society, which have always existed in free countries, and which labor respectively to extend and diminish the influence of the government; in other words, the *aristocracy* and the *democracy*. Now, in this country, the nucleus of the aristocratic party, by whatever name it may be temporarily known, will always be found in the monied men of the commercial cities. But this is precisely the class of persons among whom a well recommended traveller is naturally thrown on his first arrival in the country, and from whom he receives his first impressions, which cannot but give a general bias to his future observations. These circles of society he generally finds intelligent, polished, amiable, equal, probably, in all the elements of civilization, to the highest circles in the commercial and manufacturing cities of Europe. He is received among them with a marked attention, and listens in turn with a natural deference to their opinions. He finds them well-informed, candid, liberal, even, in their judgments of Europe; and, at the same time, expressing themselves with contempt and bitterness in regard to the political institutions and usages of their own country, and espe-

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cially the character of men in office, who are of course generally taken from the 'democracy of numbers.' Not considering the strong partisan character of such remarks, he is apt to receive them with implicit faith, as the unwilling confessions of witnesses interested in favor of the country. In this way we account in part for the tone of disparagement in which our public functionaries and institutions are spoken of by most travellers, substantially liberal in their sentiments, and even to a certain extent by M. de Tocqueville. This gentleman, in fact, hints significantly that he has received important revelations of this description, in the confidence of private intercourse, which the persons making them would not like to proclaim upon the house-top, or even publicly in conversation;—but which they trust without reflection to the passing stranger! The weakness of the evidence, upon which M. de Tocqueville professes to found some of these unfavorable opinions, forms a singular contrast with the gravity of the charges, and serves of itself to prove that they rest substantially on such authority as we have just referred to—that is, that they are the opinions, not of M. de Tocqueville, but of the *aristocracy* among ourselves upon '*Democracy in the United States.*' We shall briefly notice some of these charges.

"Many Americans," says M. de Tocqueville, "consider the instability of the laws as a necessary consequence of a system of which the general results are good. But there is nobody, I believe, in the United States, who pretends to deny that this instability exists, and who does not regard it as a great evil."

In support of this sweeping and unqualified assertion, M. de Tocqueville quotes a passage from the Federalist, in which Hamilton remarks that "the instability of the laws forms the greatest blemish on the character and genius of our Government;" a remark of Mr. Madison to the same effect in the same work; and a letter from Jefferson to Madison, *dated December* 20, 1787, in which he also gives the opinion that "the instability of the laws is really a very great inconvenience."

These remarks of Hamilton, Jefferson, and Madison, appear to be the only evidence upon which M. de Tocqueville has formed his opinion that the instability of the laws is a real and universally acknowledged feature in the political aspect of our country. It is only necessary to recollect the time when the remarks in question were made, to see that they allude to the unsettled state of things between the close of the war and the adoption of the Federal Constitution; and that, instead of being intended by their authors as objections to the now existing political institutions, they were used precisely as arguments in favor of their adoption.

Far from admitting the justice of the charge, of a too great proneness to frequent change in the laws, we have always considered the *stability* of our political institutions, in the midst of the "wreck of matter and the crush of worlds" that has been constantly going on

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around them ever since their establishment, as one of their most remarkable characteristics, and the strongest proof that could possibly be given of their substantial goodness. In fact, we have rather reason to regret that aversion even to improvement, which has hitherto so materially retarded the still progressive amelioration of our institutions. Being, as a mass, an actively industrious people, we are generally willing to make great concessions of convenience, and even sometimes of principle, for the sake of the tranquillity and regularity of the old habit; and it requires, indeed, a strong stimulus of great interests and principles at stake to overcome this moral *vis inertiæ*, and induce us to apply the hand of reform to any institution or system extensively connected with the general business of the country. The word "experiment" has been known to suffice, through more than an entire presidential contest, for the watch-word and rallying cry of a great party; and even when all sorts of previous plans have failed, wo to the incautious statesman who shall be bold enough, instead of endeavouring to resuscitate the *corpus mortuum* of the prostrate failure, to dream of an "untried expedient,"—even though it be sanctioned by the clearest demonstration of its practicability, safety, and harmony with the true democratic principle, to say nothing of the general example of most civilized foreign nations! Wo to the impious reformer who would lay sacrilegious hand on venerable evils, consecrated by time, and by the 'vested interests' which never fail to vegetate most luxuriously from the most corrupt soil! Wo to him, we repeat; he will be denounced as a visionary theorist, a raving madman, an agrarian, a destructive, a *sans culottes*, and, the English language (beautifully rich as is the vocabulary of abuse which it can furnish at need) being exhausted, a new word,—fearfully compounded,—of uncouth sight and sound,—redolent of fire and brimstone,—and pregnant with monstrous but mysterious meaning, will be invented and fastened upon him, to frighten the whole community out of its propriety, as at the cry of 'mad dog.'

That a Frenchman, of all persons, should consider our laws and institutions as obnoxious to the charge of "instability," is really curious. Prince Metternich, in a recent conversation with one of our countrymen now travelling in Europe, made the remark, that during the four and twenty years, or thereabouts, since he came into power as prime minister of Austria, there had been in France about the same number of more or less complete revolutions, political or ministerial. "Sometimes," said he, "I have found myself two or three years ahead of them in the reckoning; but they soon contrived to bring up arrears, and in the main we are generally abreast." If M. de Tocqueville will compare the history of our government, during the fifty years of its existence, with the history of any which he may choose, for any fifty years in the whole 'tide of time,' and will produce an example of one that has suffered so little change of

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any kind, except in the tranquil and gradual growth of prosperity in the course of half a century, we will admit the correctness of his stricture. The fact undoubtedly is, that from the adoption of the constitution to the present day, the Government has suffered no change whatever, in any essential point—although the period *has*, in our opinion, *unquestionably arrived*, when the slow developement, during the course of half a century, of the different elements combined together as ingredients at the formation of the system, some for good and some for evil, requires some modifications in its forms, to adapt it to the evident progress of public opinion within that period. In points of minor importance, our laws are no doubt occasionally altered, though not more frequently than those of other nations. The tariff laws, for example, are changed at least as often in the commercial nations of Europe—England, France, Spain, Holland, and Prussia,—as in this country; and none of these countries has yet witnessed the spectacle of a system of tariff law confessedly unpopular in principle,—and pouring a pernicious deluge of surplus revenue upon the Government, almost crushing it beneath a weight of treasure,—which there was a general desire to get rid of and prevent, yet allowed to remain unchanged, from objection to disturbing an old, vague, *quasi* 'compromise!'

But what are alterations in the duties on imports, in the charter of a bank, in the mode of collecting the revenue, needed by an economical Government, in comparison with the tremendous convulsions that constantly agitate the kingdoms of the old world? Let M. de Tocqueville go back to the spring of 1789, when the first written constitution of France and the present constitution of the United States both went into operation. Let him then trace the successive reorganizations of the whole frame of the government that have since taken place in his own country: first the successive republican constitutions of the National Assembly, the Convention, and the Directory; then the successive usurpations of Napoleon, the consulate for ten years, the consulate for life, and the empire; afterwards the restoration; then, again, the hundred days, with the act in addition to the constitutions of the empire; the second restoration; the three days; and finally the accession of Louis Philippe. When he has surveyed this list, of itself sufficiently portentous, let him reckon up the number of unsuccessful attempts at violent changes which have interrupted the short intervals of tranquillity intervening between these successive convulsions; and then turn his eyes to this country, and see the Government pursuing its course in quiet majesty for more than half a century, undisturbed by revolutions, hardly agitated by a few transient storms, not to be compared in importance with the unsuccessful attempts at revolution in France, and remaining in substance, at the present day, precisely as it was at the outset; excepting that it has already acquired, by a successful experience

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of fifty years, for the good and democratic elements of its constitution, something of the *prestige* that belongs to venerable antiquity; while its bad and anti-popular elements have developed themselves to the degree of maturity at which they are already nearly ripe for reform, and ready to fall of their own accord.

Will it be said that the history of France, during this period, forms a sort of exception to the general course of events throughout the world, and is not to be taken as a proper text by which to judge of occurrences in any other country? Let M. de Tocqueville recollect what has happened during the same time in the other parts of Europe—in Spain, Portugal, Italy, Holland, Germany; let him observe the boasted constitution of England herself, after breasting triumphantly the attack of the continent in arms for a quarter of a century, breaking down at last under the results of its own internal vices; let him look especially at the Spanish colonies on our continent, placed, as nearly as possible, in the same situation with the United States, yet thus far, as M. de Tocqueville himself correctly remarks, utterly unable to reach any solid basis, and floundering along from one revolution to another through a chaos of anarchy and wild uproar; let him go back, if he will, to the past history of the most celebrated nations of ancient or modern times, such as Rome, France, modern Italy, or England—at their brightest periods—and produce any one of fifty years, in the history of any of them, so free from internal change or convulsion as that of the United States for the last half century. If this comparative tranquillity on our side proves nothing more, it at least absolves our institutions from the charge of "*instability*."

In fact, M. de Tocqueville himself, although he assumes, as we have seen, and reasons, throughout his work, upon a supposed *instability* in our institutions, takes, in one of his concluding chapters, a more correct view of the subject, and one which varies but little from that which we have taken above; although he is still in error in thinking that changes of a secondary character are more frequent here than they are in other countries.

2. Another objection made by M. de Tocqueville to the political usages of this country is of a kindred character to the one just considered, and consists in a supposed constant fluctuation in the persons employed in the Government, and total want of method and order in all the public offices. We extract some of his remarks upon this head, which, if not correct, are at least curious:

"As the persons employed in the administration come into power for a moment only, and are lost immediately after in a crowd which is itself constantly changing from day to day, it follows that the acts of the Government often leave behind them fewer traces than those of a mere private family. The administration is, as it were, oral and traditional; hardly any thing is written, and the little that is, in fact, committed to paper is scattered abroad by the first wind, like the sybil's leaves, and disappears forever.

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"The only historical documents in the United States are the newspapers. If a single paper is missing in a file of one of these, the chain of events is, as it were, broken—the present and the past cannot again be united. I am quite sure that fifty years hence it will be more difficult to collect materials for the history of the United States, during the present time, than for that of France during the middle ages. This instability, in every thing relating to the administration, has begun to extend itself to the habits of the people. I might almost say that it has already become a pretty general trait of character. No one troubles himself about what was done before him—no method is adopted—no collections are made—no documents are brought together, even when it might be done most easily—no value is set upon such papers by those who happen to possess them. I have myself original documents which were given me in some of the public offices, in answer to my inquiries for information."

As we cannot suspect the good faith of M. de Tocqueville, we are rather at a loss to conjecture on what ground he can have conceived views so entirely at variance with the truth as these. He has, perhaps, been led into error by attaching too much importance to the fact mentioned at the close of the above extract, which must have been, in one way or another, an exception to the general practice. We need hardly say that in this country public records are kept in nearly, if not quite all, the cases in which they are kept in Europe, and with equal regularity, particularly in the courts of justice, and in the various departments of the General and State Governments. Even the towns have their public records, as we are told by M. de Tocqueville himself; who, in speaking of the constitution of the municipalities, enumerates, among the other authorities, "the town clerk, who keeps a record of the proceedings at town meetings, and of other public acts." Some of these town records have been kept very regularly from the first settlement of the country, and are habitually consulted, with great profit, by those who are engaged in historical researches. It is scarcely necessary for us to advert to the numerous and valuable collections of papers, by eminent public men, known to exist, such as the Jefferson papers, (principally published,) the Washington papers, amounting to nearly a hundred large folio volumes, (purchased by the General Government,) the Madison papers, (likewise purchased,) the papers of the two Adams, (those of the former, to be published doubtless at some future day, are nearly as voluminous as those of Washington,) the immense diplomatic correspondence of the Government, of which the publication has been *commenced*, the papers of Franklin, (and here we will not omit a tribute to the excellent and indefatigable Sparks, to whom we owe so much in this department of learning,) the collection of Wait, &c. &c. Nor will we make more than a passing allusion to the historical societies of the different States, which make it their precise object to collect, arrange, and, as far as their means permit, publish every thing which they can find of interest, respecting the country at large, and especially the State and vicinity in which they are seated. Some of these societies have been very active and successful in their researches. We have now before us three very

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curious volumes which have been recently issued by the Historical Society of Rhode Island, one of the last established, but not least industrious, of these institutions. The collections of the Historical Society of Massachusetts extend to upwards of twenty volumes, and are constantly increasing in interest. To this vast mass of documents, must be added the newspapers and other journals, which form a most valuable body of contemporary materials, and which, we need not say, exist in this country to an extent unknown in any other. In one point of view we may assent to M. de Tocqueville's stricture, namely, that our Government has not yet done half its duty with reference to the arrangement and publication of the vast mass of historical materials in its possession. It is also to be much regretted that we possess no good, digested, and *honest* historical register; which, as labor-saving machines, become, after the lapse of a few years, invaluable. But, on the whole, we cannot but smile at the apprehension expressed by M. de Tocqueville, of a deficiency of materials for the present period in our history. The historian will be much more likely to find himself laboring under the *embarras de richesses*. It will require indeed, we apprehend, the most untiring industry to master those multifarious treasures, and the highest talent and taste to digest their essence into a compact form. We rejoice to add, however, that the requisite qualifications for this great enterprise have already been brought to bear upon it, by a writer to whom we have alluded in the beginning of this article, and whose labors, if we may judge from the specimen in print, will leave but little to be done by others, or desired by the public, in reference to the period which he has taken for his subject.

3. Another trait in the political aspect of our community, which M. de Tocqueville signalises as one of the most injurious, is the supposed excessive influence of the declared opinion of a majority of the people. He treats this topic in two long chapters, occupying together more than fifty pages of the work, one of which is on 'the omnipotence of the majority in the United States, and its effects;' the other on 'the circumstances that limit (*tempèrent*), in the United States, the tyranny of the majority.' These chapters have been noticed with great approbation by the foreign critics who have spoken of the book, especially in England. The London Quarterly Review, in particular, though somewhat at a loss how to treat a work of undoubted talent, and at the same time of a democratic tone, and highly favorable to our country, has contrived, by the help of these chapters, to draw from it the materials for an article written in the usual tone of that journal. Sir Robert Peel, again an active fellow-laborer with the London Quarterly in the cause of aristocracy —*et cantare pares, et respondere parati*—in his recent speech at Glasgow, on his installation as Lord Rector of the university in that city, quotes these chapters with a high encomium, and represents

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the facts stated in them as sufficient of themselves to prove the vast inferiority of the American to the British constitution.

It would give us pleasure, did our limits permit, to lay these two chapters entire before our readers, that they might have an opportunity of judging for themselves of the truth of their opinions. For ourselves we are free to say, that after a repeated and diligent perusal of them, we have not been able to satisfy ourselves entirely as to what the author really means. The leading idea *seems* to be, that the influence of the declared opinions of a majority of the people is such as to preclude entirely all freedom, not merely of speech and action, but even of thought. Certain circumstances mentioned in the second of the two chapters alluded to, the most important of which is the weight of the legal profession, in some degree diminish this overwhelming power; but, on the whole, it is said to exist to such an extent as to justify the conclusion that there is less freedom of thought in this country than in any other. This conclusion has been, as we remarked, eagerly caught at by our English friends of the Conservative school, who exclaim, with one accord, that no Englishman would submit to such oppression, and that if this be the amount of our boasted liberty, they prefer to remain under the British constitution, 'monarchy and all.'

"When we come to examine the modes of *thinking* in the United States," says M. de Tocqueville, "we first perceive distinctly how far the power of the majority exceeds any power with which we are acquainted in Europe.

"Thought is an immaterial essence, which escapes the grasp of almost every kind of tyranny. In our day, the most absolute sovereigns in Europe cannot prevent certain opinions, hostile to their power, from circulating secretly among their subjects, and even at their courts. While the majority is doubtful, the discussion proceeds *(on parle)*; but no sooner is the decision pronounced, than all is silent. Enemies and friends yoke themselves alike to the triumphant car of the majority."

These short paragraphs exhibit the concentrated essence of the author's doctrine. We are tempted to ask him, as we have said before, not what evidence he has in support of it, but what he really means by it. Are we to understand him as intending that when a public functionary—a President of the United States, for example—is elected by the decision of the majority, then all is silent, and the defeated minority yoke themselves to his triumphant car? M. de Tocqueville was in this country during the administration of Gen. Jackson, the successful candidate of an overwhelming majority; and he even quotes a violent passage from one of the *two-thirds* of the newspapers of the country which opposed him through his two terms: does there need a further answer to the question?

Our author complains of the instability of our laws, and rapid successions of our public functionaries, implying, of course, corresponding changes of majorities; but how are these to be effected but by the resolute and persevering exertions of the defeated minorities, which so uniformly "*yoke themselves to the triumphant*

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car of the majority?" What, then, on his own showing, becomes of that supposed silent acquiescence of the minority—that immutability of the decisions of the majority—its omnipotence and its tyranny—its empire, not merely over action and speech, but over the mind? What, in short, does M. de Tocqueville (who is, after all, a generally clear and correct thinker) really mean in these two chapters, which have been considered in Europe, or rather in England, as the most important part of his work?

To these questions we are unable, as we have said, to furnish any satisfactory answer; and we respectfully recommend to M. de Tocqueville to avail himself of the opportunity afforded by some future edition of his work, to revise these chapters, and render them a little more clear in their import, and, if possible, a little more plausible and consistent.

In the mean time, however, we deem it not improbable that he has drawn an erroneous conclusion, from the state of public opinion, upon two or three subjects which habitually excite much controversy in Europe, but are very little, if at all, agitated in this country.

"The most absolute monarchs," he remarks, "cannot prevent the circulation of works, inculcating democratic doctrines, among their subjects, even at their courts. In the United States there is nothing published, either openly or secretly, in support of aristocratic and arbitrary principles of government. The inquisition has never been able to suppress the circulation, in Spain, of works opposed to religion. In the United States no such books are written. The governments of Europe are often compelled to punish severely the authors and publishers of immoral works. In the United States no such punishment takes place, because no one dreams of publishing a work of this description. Now," continues M. de Tocqueville, "it cannot be supposed that there are no persons in the United States who prefer the aristocratic or monarchical theory of government to the democratic; who are destitute of religious faith; who are inclined, by character, to licentiousness and immorality. There must be a certain number of persons of this description; who constitute, of course, a minority of the people. There is nothing to prevent them from expressing their opinions but their respect for the contrary opinion of the majority. *Donc*, consequently, the majority in the United States wield a power more absolute, more tyrannical, than all the inquisitions and despots of Europe; a power which is fatal to all freedom, not merely of action and speech, but even of thought. There is no liberty of mind in America. I know no country where there is less freedom of discussion, less real independence of mind, than in the United States."

These ideas it is easy to refute. This 'notion' of the real absence of moral independence of opinion amongst us, has been taken up by not a few foreigners, probably from some natural and unconscious disposition, provoked by the excess of national vanity too often exhibited by ourselves, to seek a flaw in that 'independence' which we make 'our boast'—certainly yielding a full and willing obedience to the precept given in our national anthem. The same string is sometimes harped on by some amongst ourselves, in defiance of the testimony of experience by which they are hourly surrounded, in the constant and warm discussions between majorities and mino-

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rities on a thousand subjects. We deny the fact *in toto;* and have no hesitation in insisting that the *reverse* is pre-eminently the case, comparatively with other nations.

If the premises were true, as here stated by M. de Tocqueville, of the universal silence of that partial opposition of opinion to the cause of republican principles, of religion, and of good morals, which he presumes must secretly exist to some extent, the inference thus drawn from two or three isolated instances, against the whole current of experience, would not be legitimate. They should be regarded but as exceptions to the general rule, and would probably, if properly examined, be found susceptible of explanation by accidental causes. Such would also be found, in a marked degree, the case with respect to the slavery question, if that had been similarly cited by our author.

But the truth is that M. de Tocqueville has not stated his facts quite correctly. The difference between the expression of public opinion on the subjects alluded to, in this country and in Europe, is not so great as he supposes it to be; and so far as it is real, it is easily accounted for by the difference in the state of society.

It is far from being correct, to say that there is no expression of opinion among us against religion, against morals, or against the republican theory of Government. Irreligious and immoral books circulate to a certain extent and are occasionally made the subjects of public prosecution. This, however, we rejoice to say, takes place to a much less extent than in Europe, and the difference is readily accounted for by a real difference in the state of society, which M. de Tocqueville himself is the first to acknowledge and even to insist upon as the basis of his reasoning on the subject of our political institutions. The almost universal respect for religion and purity of private morals are largely dwelt upon throughout the work, and justly described as the great security of our liberty. "If," says our author at the close of one of his chapters, "I have not succeeded in impressing upon my readers, in the course of this work, the importance which I ascribe to the practical experience of the Americans, to their habits, their opinions, in a word their *morals*, in maintaining their political institutions, I have failed in the principal object which I had in view." If, then, the moral and religious condition of society in this country be, as it is justly represented by our author, not affectedly, but really and substantially, different from what it is in Europe, why should it appear surprising that this difference should be indicated by a corresponding difference in the state of public opinion and its expression through the press, which are, after all, mere reflections of the state of society?

In the same way we account for the absence, to a great extent, of any demonstration of opinion in opposition to republican theories

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of government. To say that no such opinion is ever expressed, would not be true. We might mention, as an example to the contrary, Fisher Ames, one of the finest writers our country has produced, who had contracted, from the peculiar circumstances in which he was placed, a strong distaste for democratic principles of Government, and expressed it, not only without hesitation, but with extraordinary power of eloquence. Governeur Morris took no pains to conceal his dislike of *democracy*. In fact, the political school to which both these gentlemen belonged, and of which Hamilton was the leader, considered *democracy* not, as M. de Tocqueville correctly represents it, as the *principle*, but as the *disease* of our political institutions. Far from concealing this opinion, they filled the newspapers with it for years, in discussion. And even at the present day, the number of respectable journals which openly avow strongly anti-democratic opinions, to an extent implying fully a preference for the "strong" forms of Government of aristocracy or monarchy, is not inconsiderable; journals which, in treating of foreign politics, freely give all their sympathies to the conservative parties of foreign countries; and denounce the reforming parties which, in the wildest excesses of democratic innovation proposed by them, never dream of going beyond the principles established as the *A B C* of our political alphabet. In fact, it would be an easy task for us to prove, by a collation of a few of their respective papers and speeches, the close analogy, if not entire identity in principle, between the "Whig" party of this country and the Tories of Great Britain. It is, however, undoubtedly true that the opposite opinion has been rapidly gaining ground since the time of the great federal leaders cited, and is now almost universal. It is at least so described by M. de Tocqueville himself. The general satisfaction of the people with the existing form of government—their conviction of its superiority over all others—their self-complacency at being able to reduce to practice so beautiful a theory, which had been previously regarded as visionary and impracticable, are pointed out by our author as remarkable traits in the national character. Miss Martineau describes the universal *contentment* of the people with the existing political institutions, as *sublime*. What wonder, then, that there should be but little expression of opinion to the contrary? If the people are all, not affectedly, but sincerely, enthusiastic in their attachment to republican principles, why resort to forced suppositions to account for the fact that they do not declare themselves openly in favor of aristocracy and monarchy? It is apparent that the state of public sentiment, and of its expression through the press, is in this case, as it necessarily must be in all, a mere reflection of the actual condition of the society.

We submit these corrections to the consideration of M. de Tocqueville, and cannot but think that, on further reflection, he will

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agree with us in the views now expressed. The absence of any open opposition to religion, good morals, and republican government, is not owing, as our author supposes, to the omnipotence and tyranny of the majority, but correctly indicates the almost universal sentiment of the people on those subjects. Upon other matters on which opinion is divided, our minorities certainly express themselves with at least as much freedom as majorities, and not unfrequently with a violence in direct proportion to their weakness.

In a future paper we shall advert to the suggestions of M. de Tocqueville upon some of the important topics that are treated of in the second volume, and particularly to his conjectures upon the probable duration of the union of the States; and shall also take up in succession such other recent writers on our institutions and manners as may appear worthy of particular notice.

THE RIVER.

I WATCHED as it glided listlessly,
  In the sun's unbroken beam,
Painted with hill, and grove, and sky,
  Like an infant's brightest dream,
    Whose spirit is pure as a floweret's birth,
    And which knows but the smiling face of earth.

Full gently it wound 'mid the flowery dale,
  Seeking ever the shadiest glen,
As a girl when she dons the white convent veil,
  And shrinks from the gaze of men;
    When the world hath passed from her mind and eye,
    And she strives to forget its witchery.

Like that child when he rushes on manhood's track,
  Lured by Hope's fallacy,
And he cannot call the bright visions back,
  Of his sinless infancy,—
    And all the glory that shines thereon
    Is a broken beam of that childhood's sun,—

Thus in broken light and in rainbow ray,
  As it rushes from rock to rock,
Grappling with all in its leaping way,
  And casting back shock for shock,
    In beautiful wildness it whirls away,
    Wasting its wealth in feathery spray. SIBYL.

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THE MORAL OF THE CRISIS.

Every event in human life has its *moral*. This is true equally of the affairs of nations as of individuals; and in the former it acquires a grandeur and solemnity of character proportionate to the magnitude of its scale of operation, and the myriads of individual interests affected by it. To analyse and illustrate this moral, for the instruction of the present from the experience of the past, is the true object of history.

What, then, is the moral of the terrible crisis which has just convulsed the country? Of what national sin is it the consequence and punishment?—of what departure from those true principles of political morals on which all national happiness and prosperity must depend? That such *must* be the origin of such a result as we have witnessed within the present eventful year, none can doubt. The great moral law, that suffering is the invariable fruit of the seed planted by sin, is of universal truth. This question, then, becomes one of essential importance, which the American people ought to lay well to heart, and ponder earnestly.

On such occasions as the present, every member of the community is but too apt to lose sight of general considerations, in contemplating the consequences of the little portion of the evil that affects his own private concerns. Engrossed each in his own individual pursuits, we but rarely see the bearings of a mighty question of this nature rightly estimated by the public, by either friend or foe, at least until years have restored peace to the tempest of passions and opinions, and permitted the calm voice of reason and truth to be heard once more. It is particularly to be regretted that this is so generally the case with our journalists. It is but seldom, indeed, that we find these sentinels of the press true to the higher duties of their vocation. All their energies and thoughts are devoted solely to the party struggle in which they are incessantly engaged. This is never allowed to relax in vigor or bitterness; argument and illustration are exhausted for attack or defence of a disputed point; but meantime the vital principles of great questions are rarely at all, or at best but feebly, regarded in the strife, in comparison with the superficial considerations supplied by apparent expediency or narrow party interests. How seldom do we ascend to original truth for the solution of practical difficulty, or fairly attempt to educe the great political moral with which every public question is pregnant, from the calamities or distresses which, even in their most embarrassing forms, never fail to assert the immortality of principle, the undeviating excellence of right and

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truth. And yet it is precisely such times that afford the surest test of political principle, and of the truth or error, the essential goodness or evil, of particular doctrines, upon which difference of opinion may exist among us.

The enemies of the democratic cause have not failed to profit by the present calamitous period, to renew the assaults on the democratic Administration which has been at the head of affairs during the last eight or nine years, which had almost seemed to have exhausted their fury. It is charged with the whole responsibility of the heavy complication of evils which has fallen, with combined action, within the present year, upon the country. We are told to look at the prostrate credit, bankrupt commerce, stagnated business, and worthless currency, which we have seen around us, for the legitimate fruits of those doctrines so triumphantly sustained by the popular majority, in the late Administration, and so strongly asserted by the present. The acerbity of party feeling has invaded the recesses of private life farther than it had ever proceeded before; 'lips unused to curse' have learned to join in execration of men and measures, which ignorance has been taught to believe have brought wanton ruin on all held most dear. It has been, indeed, a fearful tempest through which the vessel of the Administration has had to ride; nothing could have availed to save it from its howling fury, but its sheet-anchors of honesty and truth to the principles of democracy. These have, however, sufficed, and will ever continue to suffice, to bear it safely through all. The storm has now expended itself, and has begun rapidly to abate; the clouds are breaking up the heavy pall which for a time seemed to enshroud the whole heavens in a portentous darkness, and their black masses are already beginning to roll away; the atmosphere has been purified of the evil elements with which it had gradually become surcharged; the hour of peril has tried men's souls; and the vessel of state is now not only safe from actual danger, but has a fairer prospect extending indefinitely before it than ever before.

The history of the great financial revolution now in progress, and not far from its consummation, will make one of the most remarkable chapters in the annals of free institutions yet known to the world. It affords a very striking instance of the self-rectifying power of a free system of government, under whatever accumulation of evil influences may have been permitted, by long incaution or error of opinion on the part of the mass of the people, to overgrow the social body. It contains a most instructive illustration of the natural developement of evil principles to results not only pernicious to the society, but in the very act, also, happily self-destructive to themselves.

It is not necessary to go back to a history of the late catastrophe and its causes. It is written in general terms, with a pencil of light, in

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the admirable Executive state paper communicated by the President to Congress, and doubtless familiar to every reader of these pages. There can be no doubt that the almost universal public opinion has now fully settled down upon the main ideas of its historical view of the subject, whatever party differences of opinion may exist as to the causes of causes, or as to the future course rendered proper by their existing results. A general over-action, over-borrowing and over-lending, over-buying and over-selling, over-speculating and over-spending, over-importing and relative *under*-producing and exporting—all growing out of the common parent of evil—over-banking, contain the sum and substance of the cause of the late convulsion.

That the whole accumulated and varied evil is the natural fruit of the banking system which has gradually grown up amidst us till it has overshadowed the whole land, is virtually admitted by all parties. The admission is made in the fullest terms by the advocates of a National Bank, when they insist upon a powerful institution of that character, as the only means of regulating the inherent propensity to evil of the system, forgetful not only that the difference between them is one only of size and power, and not of nature; but also of the fact that a bank of that description has been in active operation throughout the whole period, and has not only shared the common fate of the rest, and exhibited the same tendencies and the same results, but in a more signal manner and degree than the generality of the smaller institutions. The peculiar friends of the State Bank system make the same admission, when, while contending that it 'has not failed,' and proposing to renew the now self-dissolved connection between it and the Government, they admit the necessity of a reform, which they idly imagine is to be effected by the influence of the General Government on the small number of banks in which its revenue (hereafter to be within the limits of its economical expenses,) is to be deposited.

This banking system, which has proved the one main source of the disease with which our social body has been afflicted, has been based,—as not one of its most devoted advocates can pretend to deny,—on principles directly at variance with the fundamental ideas of our democracy and our whole theory of political morals—and its evil results, if they should be an instructive warning, ought not to be a subject of surprise. To have indulged in it in the manner in which we have permitted ourselves to do, was in itself a great national sin and folly which could not but bring with it its own eventual chastisement. Its two leading ideas have been false and anti-democratic—the one a violation of the great principle of equality of rights, by conferring exclusive privileges, involving all the essential viciousness of monopoly, on a favored and fortunate few, to create and lend the currency, and thus to derive a vastly dispro-

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portionate profit from their actual capital; the other, the assumption by our governments, Federal and State, of the function of regulating the whole business concerns of the community, by all this artificial banking legislation, instead of trusting to the intelligence and common sense of the people, and the natural healthy action of the free trade principle, with its counterpoising forces of voluntary association and competition. This has been a great national error, and we have suffered and are suffering its meet penalty —we have sown the wind and have reaped the whirlwind. However, the consolation remains, that adversity has still its 'precious jewel in its head;' and if we are paying dearly for our experience of the true principles of government, the knowledge will prove eventually well worth its price.

The height to which the supremacy of this great banking interest had grown throughout the country, is not easy to be fully appreciated. The acquiescence in it was almost universal; and in our cities particularly, its ascendency was absolute and all paramount, seeming to rest on as broad and deep a basis as the strength of the eternal hills. It claimed the merit of all the prosperity of the country. The press appeared but the creature of its pleasure; and few individuals indeed, connected in any way with mercantile business, would ever dream of hazarding the temerity of questioning its claims to public gratitude, or its vested rights to a perpetuity of its profitable privileges. If any one was so rash and so reckless of prudential considerations as to give public utterance to such treasonable sentiments of *lèze-majesté*, wo to him! Even though his name should be one which, before, every lip had delighted to honor as his country's pride and boast,—though he might be entitled to the privilege of that sacred few on whom all nations unite in invoking 'blessings and eternal praise,' as the first *poet* of his country, and in the first rank of those of his age,—and though he might be known to be in private life all that is most worthy of respect and affection, —yet wo to him if guilty of this 'unpardonable sin!' He would be persecuted with a tempest of scorn and odium, and assailed with the rudest violence of denunciation, as a pest and common nuisance to society, against which nothing, indeed, but the highest and noblest principles could enable such an one to bear up. This spectacle we *have* seen; and we have seen, too, that colossal power, which was able to exert this stupendous social tyranny over the freedom of opinion and discussion, prostrated, by its own weight, to the earth. There is a grand moral in that spectacle; and it has been embodied by the distinguished poet referred to himself, whose muse has never sung under a nobler inspiration than that of the cause of democratic truth, in a lyric (which may be found on an early page of our present Number) worthy equally of that cause and of his own fame.

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The 'credit system' had gradually expanded and diffused itself, so as to swallow up the whole business of society, in all its departments. Instead of being confined to its natural and proper sphere, of filling up the interval necessarily existing between the inception of legitimate enterprise and the realization of its returns, it gradually extended to all the minor concerns of life, so as even to include the daily consumption of personal necessaries. The most minute retail, as well as the most enormous wholesale business, was based to a great extent on credit principles. From the largest importer or manufacturer down to the pettiest tradesman and his humblest customer, all equally, in their respective degrees, bought and sold, produced and consumed, ate, drank, and wore, on credit,—that is to say, on anticipation. This morbidly overgrown system, teeming with the worst influences of moral evil, thus ramified out to myriads of minutest fibres, received its perpetual sustenance and stimulus from the banks. The entire business community—and there are but few of our citizens who do not fall within that designation—became thus dependent, as it were, for its life-blood, on these institutions. They stood in the perpetual relation of applicants for, and dispensers of, 'accommodation,'—of the means of conducting their daily business to earn their daily bread. "*Favors*" is the word grown into universal use, both by the dealer who petitions, and the director who grants. It has well, indeed, been said that words are things. The new words which, from time to time, grow up, afford the truest indices of the growth of new ideas and usages; and when it is remembered that the "*favor*" referred to is that of being permitted to pay an interest of six or seven per cent., at intervals of two or three months, for the difference between the artificial credit of a special legislative charter and the natural sound credit, well secured and endorsed, of private enterprise and industry, that single word ought to have sufficed ere now to arouse the independence of every free American citizen, to demand a reform of a system which thus places him, and the whole business community, in such a relation of dependence on the limited number of individuals who direct it and reap its profits.

The chartered advantages, and artificial public character, attaching to these institutions, secure to them virtually the monopoly of the business of money-lending; as it is only in periods of pressure (the periodical effect of the natural fluctuations of the system) that private capital, not embarked in the institutions themselves, is attracted to take part in it by the hope of usurious profit—and then only through the pernicious agency of the broker. And when, in addition to this perpetual dependence of all the commercial interests of the country upon the system, we take into consideration the social influence of the countless hosts of persons of the highest respectability, wealth, and education, connected with it, as officers, directors, stockholders,

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brokers, attorneys, &c., spread over the entire surface of the country, and occupying nearly all the seats of legislation, we shall not feel surprise at the stupendous supremacy which it has been able to acquire over the public mind, in despite of the plain principles of politico-economical truth.

To comprehend fully the vast amount of social evil which has flowed from this copious and perennial source, would be an attempt far beyond the grasp of the most vigorous intellect, or the most daring imagination. When we attempt to trace it out by its main channels, we soon become lost amidst the innumerable minor streams which spread out in every direction throughout the whole system of society. As illustrative, however, of the great *moral* that we have in view,—namely, of the consequences of a first departure from the original principles of democracy and political economy,—it will not be improper to present a brief general outline of a few of its principal branches.

The most obvious evil inherent in the system is its irrepressible tendency to fluctuation. The paper issued by the banks forms substantially the entire currency of the country. So long as they retain that pseudo-public character conferred by the artificial form of a legislative charter of monopoly, and so long as their paper issues are recognised as *the* money and *the* currency of the country, by the example of the public authorities, Federal and State, conducting all their fiscal operations through them, so long will it prove impossible to infuse any considerable proportion of the metals into actual circulation. They may be introduced into the country, but if all the streams and rivulets of circulation are filled with this universally recognised paper medium, it will be impossible to keep them there, to any useful purpose; and the portion actually kept will add but a fresh stimulus to the evil designed to be remedied, by passing into bank vaults to serve, not as a strengthening support to the paper issues already out, but as the basis of still further expansion. This is not theory, but history. To regulate the winds of the air, or the waves of the sea, would not be a less hopeless attempt than to undertake to regulate the inherent tendency of a paper currency to fluctuation. From its very nature, it must always be impossible. The utmost that legislation can do is to fix a constant ratio between the specie basis and the paper superstructure. Yet what is to prevent the proportionate expansion of both, the profit of interest on the *two* issued being always twice as great as the loss of interest on the *one* retained in the form of specie in the vault? The absolute limit of issues which will furnish the exact amount of circulating medium required by the legitimate business wants of the community, no legislation can fix; for no human intelligence can precisely determine it; and it can only be attained by leaving the business of the country to be a law unto itself, on

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the pure free trade system. The restriction of small notes could afford only a mitigation of the evil; and, to be effectual, would require the co-operation of all the State Legislatures, which is not to be expected for an indefinite number of years; and certainly the action of the General Government, upon the small number of depositories which could be influenced by the probable future amount of its revenue, would be utterly inadequate to effect this object. We repeat, then, that, to regulate the inherent tendency of the system to fluctuation, is impossible; and how incalculable are the evils growing out of such a tendency! Elasticity, claimed as a merit of paper money, is the worst possible attribute of a currency. That natural tendency to slight fluctuations inherent to the soundest business (as it is swayed moderately to and fro by the correlative laws of demand and supply,) which ought to find in a stable and uniform currency, of *intrinsic* value, its proper regulation, receives, instead of a check, a constant stimulus, from such an *elastic* currency. Instead of restraining the first morbid tendency to overaction, such a currency co-operates with it, and impels it on. Those who use, and those who create to lend it, have a common interest in this co-operation together. And so they proceed, the commercial overaction and the expansion of the currency, *pari passu*, with a mutual action and reaction upon each other, unsuspicious of the precipice to which that flowery path is leading, or at least hoping and intending to stop in time, and to return to the more regular road of plodding industry before they shall reach the extreme verge—until it becomes too late to retrace their steps with safety—

> —— facilis descensus Averni,
> Sed revocare gradum, superasque evadere ad auras,
> Hic labor, hoc opus est.

In this case the banking system is, emphatically, Number One, the commercial community Number Two. The former can and does save itself at the expense of the latter—its dupe, its slave, its victim. On the first symptom of danger the curtailment commences, under the law of necessity and the impulse of fear. Its rapidity is in inverse ratio to that of the expansion. The entire consequence of the mutual delusion and overaction falls on the community. There is an immense amount of floating debt in existence, due, not only to the banks, but mutually throughout the community, as well as to foreign countries. Under the pressure of this burthen it is, that it writhes in such agony as we have had to witness already so often, within the brief period of our national experience. And yet the merchant, still depending helplessly on the bank, neither thinks nor dares to murmur against its ascendency over the business of the community; but as soon as he has struggled, with painful distress and loss, through the convulsion, instead of attempting to reform its vicious organization, and relieve credit from the

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unnatural fetters with which an unwise legislation has hampered it, he returns to his false gods no wiser than before, to bask again in the sun-shine of their tempting 'favors;' and repeats the same career again to the same result, within the cycle of the next six or seven years.

In all this operation the banks and their directors are not to blame; they are as much sinned against as sinning—they are the tempted as well as the tempters. They act first under the pressure of a strong impulse received from the community, and next under the compulsion of necessity. The whole evil proceeds from the necessary operation of the false principles on which the system is organized; and from the mistake committed by legislation, when it would undertake to regulate that which ought to be left to its own self-regulation by its own natural laws—a mistake, the consequences of which are analogous to those which would ensue from a similar attempt to manage and regulate the elements and the seasons.

In such cases, when the evil has not proceeded to an extreme point, it may eventually right itself after a crisis, more or less protracted, of severe pressure, by the remedy of a sufficient quantity of *ruin* and *bankruptcy* to carry off the surplus amount of debt, contracted in the expanded currency, over the ability to pay in the same currency after the collapse. But when various powerful influences may chance to combine, to impel it to that extremity at which the banks themselves are compelled to acknowledge their inability to continue specie payments, the relation of dependence subsisting between the community and them makes it indispensable for the legislature to interpose for the general relief,—as evil always entails evil as its consequence. The spectacle is then witnessed, of the general relaxation by law of the penalties of contracts, at the very moment that they are justly incurred; legislation goes backward and stultifies and nullifies itself; and a self-confessed spurious currency is publicly legitimated. The spectacle is not only witnessed, but, from the imperative necessity of the case, taken as it actually exists, must be reluctantly sanctioned and approved, though it ought to be accompanied with a determination to reform, radically, a system whose essential viciousness is more completely demonstrated by this practical *reductio ad absurdum*, than could be done by the most elaborate argument.

It is impossible to conceive even a faint idea of the vast and varied injury to society, growing out of this attribute of our currency—its fluctuating elasticity.

The whole business of the community becomes infested with a gambling character. The basis of all contracts and plans is perpetually shifting, in a manner precisely analogous to corresponding variations of all weights and measures in use. That which is equitable to-day is unfair and oppressive six months hence. Men can

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no longer calculate on regular and safe principles of business. Industry is no longer sure of its fair reward. The goddess of chance is the presiding spirit over the whole scene of confusion. The spirit of speculation pervades the entire community; and, whatever objects it may specially select for its gratification, runs riot to the most pernicious excesses.

It is in its moral effect that the injury is deepest and deadliest. Though society may suffer heavy actual loss, from the diversion of its industry and energies from the dull pursuits of producing labor, this is comparatively insignificant. But the moral injury is fearful. The heart of the nation is corrupted, and its best principles, from which alone a sound prosperity and happiness can proceed, depraved. An effect is produced analogous to that on the character of the gambler. The curse of avarice enters and demoralizes it; and deadening every good sentiment of justice, virtue, high-mindedness, benevolence, frugality—gives birth to a sordid selfishness, a thirst after wealth as the supreme good, a restless discontent, a recklessness of means, a disregard of the sanctity of promises, an indifference to debt, a fondness for display and luxury. How far these fearful symptoms of that worst of all possible evils, national demoralization, have been manifested among us, all may judge for themselves. This is often pointed to by foreigners as a damning evidence against the practical superiority of our institutions, in their influence on national character; and so long as we leave this evil and its source unreformed, so long do we remain faithless to the cause of democracy and humanity, committed to us as a nation.

It is on the laboring and producing mass of the nation that the evils of a fluctuating currency fall most heavily. They, after all, must pay the whole tax raised by the system on the industry of the country. They must pay all its profits, and all the enormous expenditure of its apparatus of salaries, buildings, &c. Experience has proved that at least an average proportion of a third of these institutions fail; the loss of which, as well as that arising out of counterfeits and accidental destruction, falls mainly on them. The saying is full of sad truth, that the perpetual tendency of the system is to make "the rich richer, and the poor poorer." It grinds the face of the poor, depresses their energies, disheartens their spirits, embitters their life, vitiates their social habits, and impairs the important sense of the equal dignity of human nature. It is universally admitted that, in the fluctuations of currency, the wages of labor are the last to feel the influence of a general expansion and rise of prices, as they feel it the least; while they feel, the most severely, the first influence of the contraction. The general irregularity of business is a heavy drawback on their well-being, disturbing the only means, of steadiness and slow uniformity in industry and frugality, by which, as a mass, their condition can be elevated

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and improved. The sufferings to these classes of society, by every reaction attendant upon a fluctuating currency, by the failure of employers, or the abandonment of great enterprises, together with the moral evil consequences ensuing, are too stupendous for calculation.

The incidental evils of legislative corruption and lobby intrigue, with the consequent impaired public confidence—the injurious effect exerted on the purity of politics, by mixing up pecuniary interests, as connected with bank charters, extensions of capital, &c., with the contests of parties, which ought to be confined to principles—the system of stocks and stock-jobbing, growing out of it—the 'benches of the money-changers,' and the public gambling-tables of Boards of Brokers—its perpetual aristocratic influence, through the facilities afforded to wealth, to multiply itself (necessarily at the expense of the producing mass) at a more rapid rate than in a fair and natural proportion to the national accumulation, and by its corresponding depressing influence on the poor man, 'by the sweat of whose brow the rich man's field is thus fertilized,'—the generation of a mutual sentiment of distrust and ill-will between those classes, which is equally unnecessary and unnatural, and which grows only out of the artificial advantages and distinctions created between them by this system of legislation—the anti-democratic tendency of such legislation, implying a right, on the part of a small proportion of the community, to special monopoly privileges, as alone possessing the intelligence requisite to manage the general financial business of the society, and as implying a distrust of the principles of freedom applied to practice, and of the common sense of the mass of the people—these, and other comparatively minor evils that might be enumerated, we pass lightly over, enough having been said to illustrate the idea that we wished to convey, of *the moral* of the late crisis, namely, that all its sufferings, and all the manifold social evil which has proceeded from the banking system of this country, have been the legitimate consequence, and the just penalty, of our departure from the true principles of democratic *equality of rights* and *freedom of trade*, in the adoption of the system.

An erroneous idea appears to be very prevalent, even in quarters from which more philosophical views might be expected, that to the stimulus afforded by this system is to be mainly ascribed the astonishing developement of physical energy and resources that we have exhibited within the last half century. It is, on the contrary, a most remarkable evidence of the benefits of free institutions, and of the intelligence and energy of our people, that we have made such progress in spite of the burthens and obstacles, and periodical convulsions, attendant upon this system. If credit—which cannot but be the animating principle of the business of a free, intelligent,

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and industrious people—has been able to achieve such results, notwithstanding the unnatural fetters with which it has been clogged, and its free, healthful action distorted and diseased, what may not be expected from it when given fair play and scope, without these disadvantages! One single fact will be sufficient to show that, while it has been made to do much that it ought not to have done, it has left undone much that it ought to have done. In Scotland, where an almost entire free trade system in banking works with admirable success, the practice exists (growing out of the principle of competition) of giving liberal credits to honesty and industry, by permitting young men, mechanics and small dealers, setting out in business, with no other capital than their characters, to open credits with the banks, on which they are empowered to draw within specified limits, depositing the receipts of their own business in the banks, on which an interest is allowed, differing but one per cent. from that which they pay for their loans from the bank; and this is practised not as a matter of favor and patronage, but of mutual interest. The beneficial influence of such a practice on the condition of the poorer classes of society, in the encouragement of integrity, industry, and fair enterprise, is obvious. In our boasted 'credit system,' this species of sound, natural, popular credit, which would be a certain effect of the reform now desired by a large proportion of the democracy of our country, neither has been, nor is ever likely to be, dreamed of.

The position assumed by the Administration in relation to this subject is, at last, a return to that from which the General Government ought never to have departed. Relatively to the two parties at issue upon it in the respective States, it is the position of neutrality best becoming it. We desire to see the emancipation of credit carried into effect throughout the States, by the easy expedient of general incorporation laws (framed with proper caution,) with a due respect for every existing vested right—as being the only policy consistent with the true theory of democracy. The relative advantages of paper and specie currencies, as adapted to our national character and business, present a problem hitherto never fairly tested, and on which honest difference of opinion may fairly exist. This problem society, if left to itself, will speedily solve; and will determine, with an unerring instinct, the proper proportions and mode in which they should be combined, so as to produce the most perfect possible result, with the most perfect possible security, convenience, and cheapness. But yet this is a reform which it is no part of the intended functions of the General Government to meddle with. It is a subject beyond its legitimate constitutional sphere. It was not created to manage, by its legislation, the currency of the country, nor to regulate and control the moneyed institutions that the sovereign States may see fit to create. This

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would be the worst species of consolidation; and the preference of this policy over that of neutrality, on the part of the General Government, and over its return to the simple, self-sufficing action *designed by the Constitution* ought to rally the whole State-Rights party (substantially, if not perfectly, identical with the great democratic party) to oppose it. Strict and honest principle is the best expediency. The continuance, even, of a local evil, is to be preferred to its reform by the agency of the General Government; the injury of the precedent of the extension of its action beyond the circle of its constitutional duties, jealously interpreted, being greater than the temporary practical benefit that may accrue from it in a particular case. The argument in favor of continuing the mutually pernicious connection between it and the banking system, drawn from the consideration of the beneficial control it may exert on the currency of the States, is, therefore, a false one, and operates as an additional motive to urge their divorce. This reform is to be effected, if at all, by the States; and by them must be accomplished gradually and gently, but firmly, and with a distinct view of the object to be attained. The Federal Government will hereafter stand aloof from this contest, pursuing the even tenor of its way in the plain path of its constitutional duty. It will no longer throw the weight of its authority, and the influence of its financial action, in the scale of the one side or the other, as it has heretofore done. Conducting its own operations through the one safe medium contemplated for it by the framers of its fundamental law, and furnishing the people with the necessary common measure of value, and a perpetual example and standard, below which it will be the care of the States never to permit their local money to depreciate, it will leave to the people to determine for themselves, through the proper organs of the State sovereignties, the kind of currency they may respectively prefer. There is a party desirous of the emancipation of the negro race in the portion of the Union in which it is held in slavery: there is also a party desirous of the emancipation of credit from the unnatural and oppressive fetters with which a false system of legislation has encumbered it. Without designing to institute a comparison between the two, the duty of the General Government, of non-intervention, dictated by the State-Rights principle, is equally clear and imperative in both cases.

This is the position which the Administration has assumed. That it will be triumphantly sustained in it by the democracy of the country, cannot admit of a shadow of doubt. The voice of dissent which an over-cautious timidity, or any other motive, may call forth from a few of its friends, however worthy and respectable, cannot but be drowned in the universal acclamation of applause from the great mass of the people. We have had enough of agitation and derangement from the connection of Bank and State, between great

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political and pecuniary interests. The country is tired of the spectacle of its moneyed institutions mingling in the excitement, turmoil, and danger of the party struggles to which their presence lends a tenfold fury and *acharnement*. It never again wishes to see the Federal Government in the field either with or against a national bank, with or against a still more powerful State Bank interest. A total disconnection of interests both of which need peace and tranquillity as their greatest good, and which must be kept in a perpetual state of discord and confusion by their union—never again to be quietly assented to—remains the only sound and safe policy, against which no objection ought to, nor can effectually, be raised from any quarter.

We have been passing through a revolution—one of those great moral struggles between antagonist principles, which convulse society with a far deeper agitation and agony than any mere physical contest between hostile armies. We are now approaching its close, at least as far as the action of the Federal Government was involved in it. The reform, long hoped for and long despaired of, of its separation from the artificial money interests of banks, and its return to the constitutional simplicity and purity of its design, is soon about to be consummated. It has been another war of independence; and its equal duration, in point of time, is not its only feature of analogy with that by which our political independence of foreign power was first achieved.

The sufferings of such revolutions are but a cheap price for their results; and the day is not far distant when the American people will look back to the long agony of which this year has witnessed the crisis, with a feeling of gratulation analogous to that with which it now hears from history the story of the manifold and intense hardships by which its ancestors originally earned the blessings of religious freedom, and the separation of Church and State; or of those sufferings, not less severe, nor less nobly endured, by which its present political independence as a nation was secured.

The President's message has been well styled, on the floor of the Senate, 'another Declaration of Independence.' Eulogy of its ability, manliness, and force, equally of argument and style, would be superfluous, as they were at once, with a spontaneous unanimity almost without a precedent, acknowledged immediately on its reception by friend and foe. Its true and pure democratic character is, however, its finest feature. It is entitled to challenge comparison, as a great state paper, with any that has ever issued from the Federal Executive. It embodies, as fully as fearlessly, the true theory of the American democracy, and applies its principles to the subject under consideration (the fiscal concerns of the General Government) with a clearness and power which cannot fail to carry with it the sympathy and conviction of the great mass of the people.

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The immediate effect produced by it was very remarkable. A heavy gloom hung over the democratic party. All its energies seemed neutralized by division. Fear brooded over the present, and darkness and uncertainty appeared to enwrap the future. The democratic party found itself in a very peculiar position. The formidable character of the struggle with the Bank of the United States had made a virtual alliance with the State Bank power indispensable to that success on which depended the vital interests of the democratic cause for ages. Probably but a limited number of individuals appreciated fully the nature and necessary ultimate tendency of the principles involved in that struggle to dissolve the connection between the Government and a national bank. Great principles often act on society like those hidden natural energies which lurk within the bosom of the earth, unfelt and unsuspected, till, at their own time, they break forth from the surface, and reveal themselves to men only in their results. The leading principles of democracy on the part of the late administration which prompted the attack on the Bank of the United States, and on the part of the democratic mass of the people which secured its sympathy and support to that administration, could not be arrested by any human power, in their mission of reform, short of the entire separation of the state from all banking interests. The State Bank system was but a period of transition, though but few, comparatively, rightly understood it as such. The alliance between it and the democratic principle was never a very cordial one. It was the lesser of two kindred evils, and its aid was necessary to destroy the greater. Yet, forgetful that the antipathy to monopoly, and to all violation of the principles of equality of rights and freedom of trade, essential to democracy, constituted the main animating impulse that originated and carried through that great struggle, this lesser evil fondly imagined that it had purchased a privileged perpetuity of existence by the part it had borne in the battle and the victory. But it received its death wound in the strife itself; or rather it was crushed to death, like the Roman maiden, under the golden weight of the reward of its treachery to its own natural cause. The State Bank system co-operated with the democratic principle against the National Bank, serving as a counterpoise against that weight of moneyed power which would otherwise, perhaps, have been able to force the recharter of that institution. This alliance was an unnatural one. The public deposites constituted its inducement, and, in their eventual operation, its punishment. Thus do great principles work in society; and but few can read them aright till their result furnishes the clue and the key.

On the failure of the State Bank system, the great body of the democratic party, as also of its leading members, were, therefore, 'taken aback,' to use an expressive nautical phrase; though by a

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considerable number of the latter it *had* been anticipated, (but not with so severe a convulsion,) and the idea of the total disconnection, now shortly about to be carried into effect, *had* received much earnest private discussion among not a few far-sighted members of Congress; and it was then reluctantly postponed to the necessity of the case and the immature state of public opinion. Then ensued a critical moment in the history of the democratic party and cause. Had the Administration quailed in the slightest degree before the storm, it had been swept to destruction, and the party probably disorganized and dissolved. But it proved equal to the crisis, and the republic was saved by its presence of mind, firmness, and faithfulness to its principles. No previous administration that our history has known has ever passed through such a trial. It maintained itself erect. Its crest was never bowed. Planting itself on the Law, on its integrity of purpose, and on the democratic truth of its principles, it faced the storm of attack in every direction, and, confident in the ultimate support of the people, stood firmly by the standard of their cause.

The crisis reached its height at the assemblage of Congress. All was doubt, despondency, disorganization, when the Message went forth through the land like the voice of a silver trumpet. Its effect seemed almost magical. It was unanswered, because unanswerable. All doubt and fear seemed to vanish on the instant, and all was again courage and good cheer. The democracy of the country is rallying round the flag which it so boldly unfurled, with a zeal, and confidence, and determination, never, perhaps, before known to it. There is now a bright banner raised high aloft, of true democratic principle, under which to fight, which every man can see, read, and understand; and who is so blinded by prejudice, so misled by interest, so deluded by the fond hope of a still expectant ambition, as to doubt the overwhelming triumph of that principle and that banner, when thus distinctly submitted to the public opinion of the democracy of the United States?

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RETROSPECTIVE VIEW OF THE STATE OF EUROPEAN POLITICS, ESPECIALLY OF GERMANY, SINCE THE LAST CONGRESS OF VIENNA.

Before proceeding with our Register of Events, it will be necessary, in order that our readers may understand clearly the present condition of public affairs in Europe, and to enable them to keep pace with the progress of political events in that most important quarter of the world,—to take a glance at the existing state of its various nations, with such a retrospective view of their recent history as will suffice to exhibit the causes of that predominance of liberal opinions, which is so potently exhibited in every political movement of our time.

No sooner was the Corsican lion overpowered, and the great, but degenerate, representative of the French revolution trodden in the dust, than the same princes who, in Paris, had sued for the permission of wearing crowns, and plundering and selling the remnant of their subjects, assembled at the Congress of Vienna, to deliberate on the fate of Europe. England and the continent joined in exultation at the humiliation of the tyrant, whose eagle-bannered legions had been the terror of kings, and the woe and desolation of the people. But in the convulsive struggle of Europe against *one* man, whose great historic crime was the impious audacity with which he attempted to convert the principles of democracy, that had brought him into power, into a delusive phantom of military glory, for the re-establishment of a Byzantinic empire, there were employed elements which could only act in concert on the spur of the moment, to avert a common danger, and must needs have assumed a mutually hostile attitude, from the moment they were again left to their fate. England had nobly fought for *conservative* principles,—for her lords and bishops; the nations on the continent had been thirsting for *liberty*, and were quenching their thirst with the blood of unfortunate France.

When Napoleon had trampled on freedom and law, it was for the princes of Europe to drag them from under his feet, and exhibit them to the people as their household gods, to fire them with indignation at their bloody invader. So far had the "child of revolution" been untrue to his mission, that even Austria could say to her myrmidons, "the *liberty* of Europe has taken refuge under your banners,"—that the Czar of the Moscovites could be taken for the genius of freedom, and Cossacks, and Tartars, be hailed as her glorious van. The great usurper was hurled from his throne; but eternal justice did not suffer *one* of the guilty princes, who were then deluding the enthusiasm of their people, to earn that advantage from his fall which, in their eagerness for uncontrolled sovereignty, they had vainly hoped to derive from it. The English ministry and the holy alliance imagined they had destroyed the germ of democracy, because they had plucked out the weed which grew on its soil, little heeding the *immortality of principles*, proved on every page of universal history.

As soon as the Congress of Vienna met, the people began to undeceive themselves. They became aware of their true position. They found that they had changed the gorgeous despotism of the great Emperor for the pusillanimous tyranny of their own sordid princes; the humiliating necessity of obeying the mandate of a foreign dictator, for the abject condition of domestic slaves. The seed of liberty, which the Germans had sown on the battle-fields of Leipsic and Hanau, tilled with their swords, and moistened with their blood, had indeed sprung up and borne fruit; but their kings carried off the harvest.

So completely was the principle of representation—the basis of every democracy—excluded from the Congress of Vienna, that the rumour of a *deputy* of the German merchants having arrived at that capital, gave to Prince Metternich no small degree of uneasiness; and it was with the utmost difficulty this diplomatist could be pre-

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vailed upon to allow professor List,* the deputy in question, to stay a few weeks in the imperial city. The friends of liberal principles were not even permitted to be present when their doom was spoken. The police officers were strictly enjoined not to sign their passports, and to admit no stranger into the city whose moral and political principles were not endorsed by two persons of unquestionable faith and property. *Patriotism*, that magic which had created their armies and taught them to conquer Napoleon, ceased to be a virtue, or was perverted into a RELIGIOUS *attachment to kings and princes;* while the demand for representative forms of government was decried as leading to fresh revolutions and to anarchy.

Above all things, it was the policy of the members of that memorable Congress to destroy the *national* impulse which had been imparted to Germany, and to lead the people of that country back to their local attachments, their love of home, and their enervating zeal for transcendental philosophy;—enervating, because the Germans of the present day exhibit the singular phenomenon of a great nation, enfeebled not by vice and corruption, not by the want of religion or the decline of domestic virtue, but by an inordinate application to *learning*, which absorbs every faculty of their minds, and saps the energy of their character.† In this undertaking, Prussia and Austria were particularly successful; but in the rest of Germany, and especially in the provinces bordering on the Rhine, a different spirit began to manifest itself, which could no longer be spell-bound by the declamation of hired scribblers, or a sordid mockery of paternal affection on the part of nobles and princes.‡ That part of Germany, therefore, was to be placed under the tutelage of Austria and Prussia, the best preparatory schools for the despotism of the Northern Czar. The crumbling ruins of the Germanic empire were for this purpose collected into a *confederation*, at which Austria and Prussia presided, not as *German* States, but as *European* powers, which might give weight and strength to their arguments by the number of their bayonets. The minor princes of the empire, it is true, were permitted to introduce into their states certain constitutional forms of government; but the liberties granted to their subjects were just sufficient to embarrass the administration of those countries, without ensuring to them the possession of any fixed and determined rights, and served only to make those princes the more dependent on the generosity and assistance of their treacherous allies. They were thus not only rendered incapable of offering the least assistance against the aggressions of the northern powers, but became also odious to their own people, as the base instruments of foreign despotism.

And what was the reward of the German people for the thousand sacrifices of

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* Professor List, was afterwards obliged to flee from his country. He arrived in the United States nearly simultaneously with General Lafayette in 1824, distinguished himself, shortly after, by the publication of his Principles of Political Economy, and is now Consul of the United States, in the city of Leipsic in Saxony.

† Prince Pozzo di Borgo, in his "Mémoire sur l'état et l'avenir de l'Allemagne, écrit sous la direction d'un ministre à St. Petersbourgh, et communiqué confidentiellement à plusieurs gouvernements Germaniques," published in Paris in 1836, avows openly that even the iron sceptre of Napoleon could not prevent the spreading of liberal ideas in Germany, where they soon established themselves permanently at the universities. "At first," says he, "their fruits were beautiful; for the war for liberty offered opportunities for the manifestation of the purest and loftiest sentiments. The inspiration of the people was as exalted by its noble end as by the moderation by which it was first distinguished. But the events of the following years showed how gravely ministers and princes had been mistaken. The political demands made in most states of the confederation, immediately after the close of the war, proved, in the clearest manner, that the Germans had taken up arms not only against a foreign despot, but against their own princes."

"True *religion*," continues the Russian statesman, "composed always one of the principal traits of the German national character. The war of liberation from bondage, therefore, must needs have received a *religious* consecration. Several politicians, and especially Prince Metternich, were incessantly active to keep up this *religious* enthusiasm; but although the majority of Germans seemed to be in favour of *those public rights which are founded on* THEOLOGICAL *principles*, yet there was a strong and marked opposition to them in several of the most distinguished universities."

‡ Compare Schlosser's inestimable work on the character of Napoleon—"Schlosser zur Beurtheilung Napoleons. Frankfurt am Main 1837."

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lives and property during the long war of the revolution?—The establishment of thirty universities was once deemed a compensation for thirty years' war against Ferdinand and the Pope; this time "*an improved system of common schools*" was considered sufficient to heal the wounds of an hundred unfortunate battles. At the peace of Westphalia, Sweden and France were sharing the spoils, to obtain which, ten millions of German lives had been sacrificed:—after the peace of Paris, the trophies of the Germans were delivered up to Russia. Russia was the only European power which derived a signal advantage from the downfall of the French empire; she obtained by it the dutchy of Warsaw, which, united with France, had been her most formidable antagonist. She opened to herself the road to Turkey and the wealth of India, and acquired a most powerful and pernicious influence on continental politics, especially on that of Germany. England, who had paid nearly two-thirds of all the expenses of the war, and who had involved herself in an immense national debt, lost nearly her whole influence on the continent, while the enormous sacrifices she had been obliged to make in order to exclude democratic principles from her dominions, only hastened their speedy introduction. Austria extended her influence over Italy; but the state of her finances, and the annual deficit in her budget, prove sufficiently the enormous rate at which this influence is purchased. Prussia is no longer the mock word of the French, though the words of Béranger,

"*En quatre jours on fait une campagne,*"

still ring in their ears; but she has become the van-guard of the Russian despot, and, as such, is loaded with the hatred and execration of all Germany.

France, in the midst of her humiliation, laid the foundation of a better government than that of which she had been deprived by the united efforts of her enemies. The charter of Louis XVIII. contained a better guarantee of her liberty than all the victories of the heroes of the revolution, and was a higher prize paid to the bravery of her soldiers than all the eulogy wasted on Wellington, Blucher, and Schwarzenberg. But as all conquering nations imbibe the manners and customs of the conquered, and, by this means, finally become themselves vanquished, so did the invasion of France do more for the spreading of liberal principles, and the overthrow of monarchy in Europe, than all the victories of the republic; and the doctrines of the revolution were never nearer inflaming the world than when their last representative was retiring from the field.

The armies of the allied powers left France with respect for the manners, customs, and laws of her inhabitants. They had seen more *equality* in France than they had ever before or after witnessed in their own countries; they had seen the dignity of man respected in the humblest of his species; and their hatred and prejudice against the French, which were constantly nursed by cunning politicians, had gradually yielded to feelings of forbearance and kindness. In short, France, though young and inexperienced in every liberal form of government, abounded, nevertheless, with all the *elements* of democracy, and had given proof of her deserving to be free, by the readiness with which her children were prepared to die for liberty. Her example was far from being lost even upon Russia; and many a rude warrior, like the crusaders of old, returned home to the confines of barbarism, there to plant the seed of new life and civilization.

The wars of 1814 and 1815 were, indeed, a crusade upon *democracy*, or what was deemed as leading to it; and the respective princes of the coalition were about as successful in them as their forefathers in the conquest of the Holy Land. Not only were they obliged to surrender all the conquered territory, but they have since been unable to maintain their own, notwithstanding their enormous armies and the repeated but unavailing defeats of their enemies. The ghost of the French revolution is staring them everywhere in the face, whether they look to Italy or Spain, to Portugal or Belgium, France or Poland, England or Germany. Nor is it confined there; it is haunting Turkey and Egypt, convulsing Asia and Africa, and, in its more remote consequences, is even felt in the United States. Herein consists the immortality of *principles* which, once born to light, cannot, by any earthly power, be deprived

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of their action, until they have produced all the ultimate consequences resulting from their single and combined application. No intolerance, no persecution, no martyrdom can prevent their promulgation; and they seem to acquire even an additional momentum from every obstacle they meet on their progress.

What would have been thought of the understanding and foresight of a politician who, at the time of the triumphal entry of Lous XVIII. into Paris, should have told the Duke of Wellington, "Thou, thyself wilt, in less than twenty years, be compelled to pass the *Irish Catholic Emancipation Bill;* thou wilt see thy military renown eclipsed by thy political errors; thy reputation for sagacity and patriotism plucked by the friends of the people whom thou despisest; thou wilt be a witness of their triumphs when they will carry *the Reform Bill;* which will put an end to the rotten boroughs, and the election of one-third of the members of the House by the nobility; thou wilt live to see the day on which *municipal reform* will be introduced into both kingdoms; thou wilt in vain oppose the passing of the *Irish Corporation Bill;* thou wilt see *tithes* commuted, the *stamp-duty* on newspapers reduced, and *free bottomry* allowed to every British subject. Thou wilt see more than all this: thou wilt see a 'poor Irish beggar'—a man who will prefer eating the bread of charity from his people, to being pampered by kings or nobles—acquire more power and influence on the deliberations of Parliament than the whole House of Lords; and thou wilt see that same Irishman, by the force of his eloquence and the strength of his character, produce throughout the kingdom a revolution in public opinion, which will render the position of the peerage extremely precarious, and call for a *reform of the established church!*" With what ineffable contempt would the hero of Waterloo have looked down upon such a wizard? And yet all this has come to pass! England has, for the last ten years, made greater progress towards a pure democracy than any other country in Europe. Her nobility, the wealthiest and worthiest aristocracy in the world, is daily losing more of its moral influence in Parliament and on the minds of the people. Its riches and learning—its physical and moral power—will yet for years be felt in the councils of the nation; but it is no longer based upon, and entwined with, the affection and loyalty of the people. It has lost the magic of directing the multitudes and inspiring awe. English politicians may ascribe this change to the preponderance of commercial and manufacturing interests over the landed property of the nobles; they may prove that the *floating* capital of the nation, which composes the wealth of a commercial people, has, within the last fifteen or twenty years, waxed greater than that invested in real estate, on which rests the towering edifice of English aristocracy, as, indeed, the whole feudal system; but the unprejudiced philosophical observer will view in it the development of *principles* which affect the form of society throughout the world, and the effects of which are the more perceptible in England, as the elements on which they operate are there more vigorous than in any other country. Twenty revolutions like that of 1688 might have been effected in different countries without imparting to them a common impulse, or changing materially the historical theatre of the world. They might have been tending to correct abuses in their local governments; but they could not have produced that unity of sentiment and singleness of purpose which characterise throughout the liberals of the present school. The French revolution matured principles *independent of states and local governments*, and for this reason these principles have survived the revolution itself, and the various forms of government suggested for their application in practice. These principles are essentially *democratic*—aiming at the happiness of the many in opposition to the privileges of the few—and will continue to effect reforms until they shall have produced the greatest good to the greatest number in all countries. *Democracy* is becoming the political creed of every people in Europe. France officiated as high priest at its baptism; but its confirmation it must receive from Great Britain.

Let us now turn our eyes to France, that land of political miracles and popular credulity, whose people has in scarcely fifty years accomplished the history of five centuries—to that people which is constantly astonishing the world, and has ceased to

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be astonished "at itself," and ask, what has *that* nation gained by the revolution and the sacrifice of five millions of her citizens? Were we to strike a mere mercantile balance, comparing the revenue and expenditure of the state, the amount of taxation, the condition of the army and navy, and the statistics of her manufactures and commerce, then the gain might indeed be inconsiderable; but if we look upon a nation as representing the aggregate of intelligence and virtue of all the individuals composing it, we must at once admit that France has not only been regenerated by the revolution, but that her liberties—inconsiderable as they may appear to the English and Americans—are nevertheless resting on the firmest basis on which they can possibly be established in any country—on the determination of the people to be free, and their courage to assert that freedom, in opposition to every moral or physical obstacle.

That the French are yet circumscribed in the exercise of an hundred privileges which belong to freemen, cannot be denied; yet, what statesman would now think it possible to lead the French people back to the state from which they emerged by the revolution? Does Louis Philippe think it possible? Does the *Thiers* party? Do the *Doctrinaires* believe it? Does Count *Molé* speculate on such a possibility? France, it must be admitted, is yet vacillating between republicanism and monarchy; but let us not be deceived by words. The French monarchists of the present day are essentially different from those of the age of Louis XIV. and XV. They support monarchy not from loyalty and attachment to the king; not from a pious acknowledgment of their obligations, or a religious respect for the birth-right of princes, (that, indeed, was invaded by the very succession of Louis Philippe to the throne);—they defend it *as a political system* which, at the present moment, happens to coincide with the views of the French monarch. This is the reason why the friends of legitimacy are as little disposed to put faith in the present administration of France, as the republicans themselves. The former consider it as a mere surrogate of monarchy; the latter, as a daring political fraud. There exists throughout France little or no devotion to the person of the king, and the interest taken in the preservation of his life is proportionate only to the importance of the changes which would inevitably follow his death. Louis Philippe is the *rentier*-king of France; and he is himself a stock-broker. He is no longer "king of the barricades;" he is "king of the exchange;" and the principles of his government agree as little with the French character as they promote the great and permanent interests of the nation. He is a king,

"That from a shelf the precious diadem stole;"

and we may safely conclude the quotation, by adding, to "put it in his pocket."

Some ascribe to Louis Philippe uncommon political wisdom; others consider him even a genius: very few, we believe, give him credit for honesty and integrity. If a man's talents be estimated by the adroitness with which he *avoids* difficulties, then Louis Philippe is unquestionably a great man; but if greatness consist in *meeting* dangers which honor and justice forbid us to shun; if it be a virtue in a ruler to lead his people onward, and a crime to retard their progress; if the wisdom of a king be estimated not by the immediate, but by the ultimate effects of his government on the social and national condition of his country, then, indeed, Louis Philippe will be found sadly wanting in the scale.

Louis Philippe was called upon to solve one of the most intricate problems in history, and has but deferred its solution. He bade the nation stand still, because he had not the courage to go on with her; and his administration, so far from resting on a firm and popular basis, derives its security only from the weakness of the leaders of the opposition. A dozen such men as Carrel would destroy it in less than a year, and it could not stand a week before the genius of a Bonaparte.

The king of the French seems to have conceived the singular plan of assigning to France a position in the middle, between England and Russia, as remote from the freedom of the one as from the despotism of the other. France shall become the point of indifference between the two extreme principles of liberty and slavery; so that while her own alliance with England shall protect her against the possi-

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bility of an evasion, the king's secret attachment to Russia may insure the Duke of Orleans the quiet succession to the throne. For this purpose, the quadruple treaty was repeatedly infringed upon; for this purpose were the September laws passed, which put an end to the liberty of the press; and for this purpose were the royal princes sent on their bootless show to be despised in Berlin and Vienna. There is not a single act in the whole public life of Louis Philippe, which may not be traced to the most selfish motives; his very acts of justice are not free from suspicion, and his generosity itself is tainted by it. So far, then, from considering Louis Philippe as a great man, we look upon him as a political miser, who locks the elements of national greatness up in a strong chest, instead of setting them in motion; one who basely traffics with the liberties and privileges of his people; buying them up in large quantities, to retail them again at an enormous profit, and realizing a petty fortune by his usurious extortions. This spirit of trade and traffic he has endeavored to introduce into every transaction of public life, and it is now threatening to sap the foundation of every noble and disinterested sentiment. France has exchanged her ancient nobility of the *faubourg St. Germain*, for the stock-jobbing aristocracy of the *quartier des Finances;* the pedigrees of her nobles, which were, at least, historically associated with refinement and chivalry, for the bills of exchange of a set of narrow-minded and unprincipled money changers.

Louis Philippe took the people of France by surprise, and they have not yet recovered from their astonishment; but recover they must, were there an hundred Philips to perpetuate their present stupor. We consider the appearance of Louis Philippe as a mere interlude in the history of France, resembling some of Shakspear's clowns, introduced to relieve the gravity of the drama;—a mere pause in the revolution. During this pause, the nations of Europe may fall asleep; but they will awake with fresh vigor at the first signal of battle, to conquer or die on the field. Louis Philippe has taught the people of all countries a memorable lesson, which, it is hoped, will not be lost upon them. They will probably learn from it, that they themselves must be the guardians of their liberties, and that, to repeat a verse now familiar to every English ear,

"Who would be free, himself must strike the blow!"

But what will the French do with liberty, if they should ever be so fortunate as to acquire it? asks many an English and American politician, who, in the pride of his soul, takes it for an axiom, that the anglo-Saxon and anglo-American races are the only ones capable of freedom, and that every other is necessarily doomed to slavery. To this question we know no better reply than the manly and eloquent one of Boerne:—

"Liberty is nothing positive; it is but the absence of slavery. Liberty cannot, liberty will not establish anything but itself; it cannot, and will not destroy anything but despotism. Liberty cannot change a people; it cannot give to a people qualities and virtues denied them by nature; it cannot cleanse them from faults which are born with them, or occasioned by climate, education, history, or ill fate. Liberty is, in itself, nothing, and yet every thing; for *it is the health of a people.* When the physician is called to a sick man, would you ask him, 'why do you cure this man without reflecting what will become of him after he shall get well?' 'He is an old man, would you attempt to make a vigorous youth of him?' 'He is a beggar, can you make him a man of property?' 'He is a villain, can you change him into a virtuous man?' 'He is an idiot, can you transform him into a man of sense?' 'He is living in a desert, will you carry him to Naples?' The physician will answer you, 'I will cure him. As to the use he can or will make of his health, that is his business, not mine; that must depend on his destiny.' Liberty holds the same language. 'I will give back to the people their health, but the use they may make of it, I must leave to their own free will, and to their fate.' 'As the healthy beggar, with his stony crust of bread, is happier than the rich sick man at his luxurious banquet, so is a free people, were it to dwell in the icy regions of the north, without arts, without science, without hope, without a single enjoyment of life, and wrestling with the bear for its food, happier still than a nation without liberty, though it should have inherited a paradise in its sky, and enjoy a thousand flowers and fruits, spontaneously produced by the soil, or offered by the cultivation of the arts and sciences. Liberty alone can develope all the powers and resources of a nation, in order to make her attain the end for which she was created. Liberty alone can ripen the hidden germs of a people's virtue, as, indeed, it reveals

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all its faults, showing which of these are to be ascribed to natural causes, and which to degeneration; separating, thereby, its healthy qualities from those which, under a semblance of vigor, conceal but weaknesses, or a morbid development of a certain organ at the expense of all the rest; such as the domestic virtue and transcendentalism of the Germans."

Germany, of all countries, suffered most by the wars of the French revolution. Her important geographical position, in the centre of Europe, made her plains the battle-fields of the contending powers. Twenty years in succession did the Germans combat the principle of liberty and supremacy in France; twenty long years were they beaten, insulted, and sacked by their victorious foes. How could this have been otherwise? The Germanic empire was a tottering edifice, scarcely holding together from weakness and age, and requiring but a small shock to fall at once into ruin. Ever since the peace of Westphalia, were the Germans divided amongst themselves, either by mutual jealousy, or by the influence of foreign powers. The dignity of the emperor had dwindled into a mere shadow, and the obedience of the princes was, since the example of Frederic II., not even nominal. There was no concert, no community of interest, no mutual attachment, no loyalty, no national pride, and scarcely a sense of honor, left among them; and the people of the different provinces had become estranged to each other, by the different policies of their rulers, and an almost uninterrupted series of foreign and internal wars. How could such a country have withstood the onslaught of a warlike people just awaking from a long sleep, and fired with enthusiasm *for a new principle?* Such were the French republicans. They fought for liberty as for a mistress; and though they afterwards became unfaithful to her, and transferred their affections to an unworthy object, yet they always fought with animation, and with that ardor which the devotion to a great cause never fails to inspire. The armies of Germany, on the contrary, were composed of mercenaries, hired or pressed into the service; their leaders, themselves, were hirelings, and the people had no interest in the struggle. These, therefore, remained quiet spectators, until, by a series of injuries and extortions, they were finally roused from their domestic tranquillity, and inspired with patriotism for their insulted country. Germany, though exhausted by twenty years' unfortunate warfare against the then greatest power in Europe, developed, nevertheless, at that time, greater resources than any other country. For twenty years had her armies been defeated in the combat *against* liberty; this time *the people* themselves took the field, and, in one great struggle *for* liberty, achieved their emancipation. That it was not the coalition, and especially, not the German princes, which produced the fall of Napoleon, was allowed by the Emperor himself, when he declared that he had been defeated *by the power of liberal ideas in Germany.*

The strong impulse, then given to the *German nation*, it has since been the constant endeavor of the holy alliance to counteract and destroy by every means in their power; while, on the other hand, the efforts of all liberal Germans, and especially the works of their most distinguished writers, tended to foster and cherish the seed of patriotism and liberty which, for the recovery of their crowns, the princes themselves had been obliged to scatter among the people. To attain the first mentioned object, it was agreed, at the Congress of Vienna, between Prussia and Austria, that the German empire which, in 1806, had ceased to exist, and which, until then preserved, at least, the *name* of Germany, should *not* be re-established; that the different princes of that empire (not less than 28) should become sovereign rulers of their respective principalities, and that they should be at liberty to establish within their respective dominions, such forms of government as might best be suited to their circumstances and agree with their ideas of justice. In this maner did Emperor Francis II. of Germany, (Francis I. of Austria,) commit a political suicide in order to destroy, at the same time, the germ of liberty which began to spring up in every part of the empire. He thus laid down every moral obligation which once bound him to Germany, and avoided equally the appearance of interference with the internal regulation of the States. But what he avoided to do openly, he could, with greater safety, do indirectly,

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by his influence as sovereign of one of the greatest European powers. He could force the German princes to do as he directed them, and thus make *them* bear the whole odium of his preposterous measures. In this sense, it may be said that Germany was never more completely ruled by Austria than, with the exception of the time of Napoleon, since the German empire was dissolved.

Prussia pursued a still more cunning policy. Under the pretext of an alliance with Austria, and an apparent submission to the profound suggestions of Prince Metternich, she has seconded every tyrannic measure of this *prince of darkness*,* while, at the same time, she was able to throw their whole odium on Austria, and thereby to save her own popularity in Germany. In many instances it has even been her policy to soothe the rigor of those measures, in order to ingratiate herself with the liberal party, in case of a possible rupture with Austria. She has thus played a double game; one *against* Austria for the suffrages of Germany, and one *with* Austria for the suppression of liberal principles on the whole European continent. As a proof of this assertion, we need only quote the Prussian tariff union, which, as it gives to the smaller German States a semblance of union, is extremely popular among a certain portion of the liberals, who are glad to avail themselves of any thing capable of promoting their design, while all who are more intimately acquainted with Prussian policy, see in it only a means of separating the States from Austria, and accustoming them to the the tutelage of the court of Berlin. This separation, Prussian statesmen think the more necessary, as there still lingers, in many of the small principalities of Germany, a certain attachment to the house of Austria, which has furnished so many emperors—some slight remnant of loyalty, the result of habit and early association, which, in case of a rupture between Austria and Prussia, might be taken advantage of to frustrate the ambitious design of the latter. The Prussian tariff union is to wean a certain portion of the Germans from their predilection in favor of Austria—the representative of legitimacy in Europe,—while, on the other hand, it is intended to delude the liberals with the vain hope of a German empire, were it but under the auspices of a king of Prussia. The Germans have been so long deceived, insulted, and maltreated by their Princes; the taxes, imposed upon them by the reckless extravagance of twenty-eight different courts, have been so long consuming their vitals, that they are now ready for any change, even for the *pis aller* of Prussian supremacy.

In the mean time, Prussia effects two immediate objects of the greatest importance; first, she excludes British and French merchandise and *thoughts* from a great portion of the Germanic confederation, destroying the French *liberal* influence not only on the inhabitants of the Rhenish provinces, Rhenish Bavaria, Nassau, Rhenish Prussia, and Hessia, but, also, where it was most felt, and productive of the most important results, in Baaden, Würtemberg, and Franconia: second, she extends, by the tariff

* It is well known that Prince Metternich is opposed even to an improved system of instruction, and that the late Emperor of Austria, and all the members of his family, share this antipathy to learning. For this reason, Professor Hauff used repeatedly to assert that there was a prevailing disease at the Austrian court, which he termed "*Photophobia*." In order to show how this system of universal darkness was deemed necessary to the proper administration of the Austrian states, we will here mention a case, with the circumstances of which we happen to be personally acquainted. Lady B** descended from one of the most ancient and noble families in Hungary, and a lady of the most uncommon attainments in literature and the arts, attempted to introduce the system of *Infant schools*. The prerogatives of the Hungarian nobles, which, in their own country, place them almost on an equality with the king, enabled her to execute her design in Pesth, Comorne, Buda, Raab, and other cities of Hungary, without previously asking the permission of the Emperor or his Prime Minister. From that moment she was shunned by the whole court, and especially by the imperial family. Seeing all her actions watched by the police, she finally resolved to address the Emperor himself, and for this purpose, asked for a special audience. This being granted, she conceived already the most sanguine hopes of the success of her undertaking; but what was her astonishment when the Emperor met her, saying—"My dear Countess, I know that you are an excellent woman, but our children want no learning; they know already too much." "But," replied lady B** adroitly, "may I not teach them morality and virtue"? "Yes," rejoined the Emperor angrily, "but the best virtue you can teach them is *obedience to me*."

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union, the credit of her exchequer bills, which, not more than three years ago, were refused in all the States of Germany, south of Frankfort on the Maine, and are now received as current money on the very frontiers of Austria. The high credit of these bills acts favorably, also, on the depreciated metallic currency of Prussia, which, it is strange to say, passes all over Germany, at three per cent. above its intrinsic value. The King of Prussia, by purchasing Brabant dollars, the circulating medium in the south of Germany, and coining them into Prussian Rix dollars, has, for the last fifteen years, gained millions; while, by a cunning understanding with the money mongers of Frankfort, he has, within the last four months, succeeded in depreciating the gold and silver coins of the southern States, which, although by assay found more than five per cent. better than they are rated in Prussia, have, in consequence, suffered a further reduction. Yet all this does not rouse either the indignation of the people, or the resentment of their princes, as long as there are hired authors and orators in the mock-legislatures of every duodecimo monarchy in Germany, enlarging on the advantages resulting from it to manufacture and commerce. Money matters, it is true, seldom excite the attention of the Germans, and, to say the least, their princes remove the necessity; yet what parody on the human understanding can be compared to that of seeing the most educated and learned people in the world, a people deeply versed in transcendental philosophy, give up their good hard-earned money, and pay an usurious premium for a depreciated currency, of which it is difficult to say whether it consists of copper or silver?

The philosophy of the Germans is indeed an armor which renders them perfectly invulnerable. Oppress them with an iron rod, insult them, ridicule them, strike them, extort from them their last penny, starve them, bury them, only do not separate them from their book, and they will be satisfied. Whenever one of their five hundred thousand philosophers happens to have a liberal thought, he puts it down on paper; in course of due time he gives it insertion in some ponderous work, and then he dies contented. His son or grandson makes a comment on it, and the second or third generation has it already improved. In this way a thousand profound thoughts are treasured up in the German libraries; there is not a single principle of liberty or justice which may not there be found ably and satisfactorily commented upon; there exists, in Germany, *on paper*, the most perfect democracy which ever governed any community; there may be found, *in books*, enough of radicalism to break down the thrones of kings and emperors, to destroy the last remnant of feudalism, to banish bishops and nobles, ribbons and stars, and to drive the last tithe-gatherer out of the country—if a man will only put himself to the trouble of collecting it from the millions of volumes in her public libraries.

With such a people, the policy of the Prussian government must be eminently successful. It opens to them the treasures of science and literature, reserving to itself nothing but their application; it equalizes, as far as practicable, nobles and commoners, claiming but the privilege of elevating the servants of the crown; it establishes a military democracy, in which the king, as a true soldier, demands but implicit obedience; it abolishes, by the union of the tariff, the odious system of excise in the interior, but taxes commerce on the frontiers, and there establishes monopolies; in short, it is a policy which is no more akin to liberalism than hypocrisy to religion; and is just as much more pernicious to the progress of liberty in Germany, than the open despotism of Prince Metternich, as a treacherous friend is more dangerous than a declared enemy.

Much praise has been bestowed, in and out of Germany, on the Prussian system of common schools. Excellent as this may be in many respects, it is nevertheless a powerful organ of perpetuating slavery. What, after all, can be more opposed to freedom than a system of instruction which excludes all choice of method, all necessary modifications, in order to adapt the different branches of learning to the individual capacities of the pupils, and, finally, all branches of learning which are not deemed favorable to a particular design; a system *in which the whole population is taught to think, feel, and act, according to the political and religious catechism of a*

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single man? Were it ten times the best system ever invented, we would not recommend it to any state or empire in which the people claim to be more than mere wire-puppets in the hands of their legislators.

But the Prussian system of common schools is far from being the best ever invented; it is not established on half so liberal a plan as the system of instruction in the grand duchy of Baaden or the kingdom of Würtemberg. The treatises in use are neither more profound nor more popular than those used in other protestant parts of Germany. All that we can say in favor of the Prussian school system is, that it is *military*, and as such productive of quickness and precision. But we doubt much whether it favors the ultimate object of education—the development of every faculty of the mind and body; and *we know* that it developes some at the expense of others, which we deem of infinitely higher value. We recommend the Prussian system of instruction to the emperor of Russia, not, as Bulwer and Cousin do, to the English or the French, and least of all to Americans. The Tartars and Cosacks cannot but improve by it, but it neither suits the philosophy of the Germans, nor the practical genius of a free people.

But, against its inclinations, the government of Prussia itself was obliged to make certain liberal concessions to the democratic spirit of the age; it had to establish even its despotism on a *democratic basis.* De Tocqueville has clearly shown that the present times leave to mankind no other alternative than between democracy and despotism, and that the spirit of family, which is now broken down, was, during a certain period of history, eminently calculated to check the tyranny of a single despot.* This, it seems, has been discovered before De Tocqueville, in the cabinet council of the king of Prussia. No sooner was he securely seated on his throne, which was not before the 18th of June 1815, than he commenced his war upon the nobles; to whom, of all their hereditary rights and privileges, he left nothing but their titles, reducing them, in every other respect, to an equality with his other subjects. They are now subjected to the same taxation, the same regulations, the same restrictions, and the same military despotism.† They have, at this time, no interest different from that of the people, no means of defence against the arbitrary will of their ruler, except by promoting the popular cause. The king is driving them to democracy—and they must finally become democrats to achieve their independence.

The same tendency may be perceived in the *military* organization of Prussia. The Prussian system of conscription nationalizes the army; but a *national* army is, at no time, a safe keeper of royal prerogatives. The mathematical sciences, too, which accustom the mind to reason and reflection, and form the basis of all military instruction, are no supporters of arbitrary power. The French army, the officers of which are probably better versed in the exact sciences than those of any other troops, has almost uniformly sided with the popular cause, and the pupils of the Polytechnic school were but recently among the most ardent defenders of liberty. If Louis Philippe had no other bayonets to depend upon than those of the regular army, he might long ago have become a fugitive. We have no faith in the stability of any government whose strength rests on its bayonets, and believe, with Pitt, that there is nothing so short-lived as a military despotism.

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* Tant qu'a dure l'ésprit de famille, l'homme qui luttait contre la tyrannie n'était jàmais seul; il trouvait autour de lui dos clients, des amis héréditaires, des proches. Et cet appui lui eût-il manqué, il se sentait encore soutenu par ses aïeux et animé par ses descendants. Mais quand le patrimoine se divise, et quand en peu d'anneés les races se confondent où placer l'ésprit de famille?

S'il était vrai que bientôt il ne dût exister aucun intermédiaire entre l'empire de la démocratie et le joug d'un seul, ne devrions-nous pas plutôt tendre vers l'un que nous soumettre volontairement à l'autre? Et s'il fallait enfin arriver à une complète égalité ne vaudrait-il pas mieux se laisser niveler par la liberté que par un despote?—*Tocqueville, de la démocratie en Amérique.*

† Every Prussian subject, whether nobleman or commoner, is obliged to serve, during a certain period, in the regular army, and *Landwehr*, and is for this purpose enrolled as a common soldier.

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But the most remarkable measures the Prussian government resorted to, *for the purpose of retarding the national progress*, were the revision of the ancient municipal laws, and the re-establishment of municipal authorities in the towns and villages. By these means the enthusiasm for *universal liberty* was to receive a counterpoise in the local attachment of the people to *special freedom*; and in this sense they received even the approbation of Russia.* But the system of municipal government, which is older than the kingdom of Prussia, and which the Germans established in England and France, though they afterwards abandoned it themselves, has, in all communities where it was wisely used, laid the foundation of liberal governments. It forms now the strong basis of English and American liberty; and we trust that, at no distant period, it will lead to the emancipation of Prussia.†

On the whole, the continuance of despotism in Prussia depends more on the energy of the king than the efficacy of the system. It is far from being permanently established, and rests least secure on the regular army. The Prussian army, as we have remarked before, is, notwithstanding its present blind devotion to the king, a *national* institution, and as such may, at some future day, be employed for the benefit of the nation.

Austria, in her internal policy, must, of course, be as diversified as the character and resources of the different people subjected to her government. The Austrian empire consists of a certain number of German, Hungarian, Sclavonian, Czechian, and Italian provinces, which, with the exception of Hungary and Transylvania, belong to the emperor in *fee-simple*, and have no community of feeling, language, or interest with each other, further than that which results from their being the property of one and the same master.

There exists, in fact, a *house of Austria*, uniting in itself the joint power of these provinces, but, properly speaking, no Austrian people; for the arch-dutchy of Austria, on which it pleased the emperor to repose the dignity of his crown, is but a small province compared with either of the kingdoms of Hungary, Bohemia, Gallicia, or Lombardy and Venice. Such a conglomerate is, in itself, incapable of national elevation or development, and it has therefore constantly been the policy of the house of Austria rather to increase the *personal* attachment of the people *to the ruling monarch*, than to instil into them an exalted, disinterested *love of country*. The latter it has endeavored to crush wherever it manifested itself, and its suppression in the Italian provinces requires, at this moment, the presence of 80,000 troops.‡

In Austria proper, Styria, Carinthia, the Tyrol and Voralberg, there exists a strong feeling of loyalty and attachment to the person of the emperor; and for this reason these provinces are administered with *paternal* care, though, of course, in a manner which prevents their inhabitants from ever arriving at a state of popular freedom. These provinces, it is hardly necessary to say, are purely German, and compose, notwithstanding their limited extent and population, the strong foundation of the whole Austrian power. The German population of Austria is the most faithful and enduring, and their loyalty makes them the fittest instruments of tyranny in the other States.

The particular position of the Austrian empire is this. It cannot depend for its safety, or the stability of its institutions, on the voluntary submission of the people, or the assistance which so many different nations would, of their own accord, render it in time of danger. There is not one political measure which could act alike on all

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* Mémoire sur l'état et l'avenir de l'Allemagne, écrit sous la direction d'un ministre à St. Pétersbourg et communiqué confidentiellement à plusieurs gouvernements Germaniques. Paris, 1836.

† The towns of Swabia, Baaden, Franconia, and Rhenish Bavaria are all governed by municipal authorities, which are elective, as in America. The municipalities of Würtemberg are most independent of the general government; and we assign this as a reason for this kingdom being, with the grand-duchy of Baaden, the freest State of Germany.

‡ This is the actual number of troops now stationed in the kingdom of Lombardy and Venice, the Papal States, and the duchy of Modena

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its subjects, and, in case of war, it would even be the interest of a large portion of its entire population openly to side with the enemy. Under these circumstances, the only safe form of government is a *mild despotism*, which can effectually crush all liberal sentiments and national aspirations; but, at the same time, sufficiently protect the personal interests of the people, and thereby foster their loyalty and attachment to the emperor. This most difficult problem, together with that of maintaining its *European* influence, as the oldest representative of legitimacy, Prince Metternich solves with admirable skill, though the events of the last five years, and the doctrines promulgated by the late French and Polish revolutions, affected the whole Austrian monarchy, and almost revolutionized Hungary and Transylvania. The spirit of democracy has found its way to one-third of the Austrian empire, (Hungary and Transylvania having, together, more than 11,000,000 inhabitants,) and is there making even more rapid progress than in Germany.

At the late Hungarian diet, which lasted nearly five years, three questions of the most vital interest were agitated:

1st. The repeal of the law of expropriation of the peasantry.

2d. The substitution of the Hungarian language, instead of the Latin formerly used at the diet, and in all public documents; and

3d. The succession of the present emperor of Austria, Ferdinand III, as Ferdinand V, of Hungary, which, in fact, is tantamount to the declaration of independence *from the Austrian empire*, though it still acknowledges the rights of the sovereign.*

The first of these questions was agitated nearly the whole session of the diet, and, although finally rejected by the *upper chamber*,† was so much discussed and commented upon as to become a familiar topic, even to the humblest laborer. It was, perhaps, the first time that Hungary produced *popular speakers*—men who defended the liberty of the press, and openly assailed the measures of the government. Never before was there felt, in this part of Austria, the power of public opinion, although the Hungarians had repeatedly shown themselves capable of national elevation—a circumstance which, more than once, saved the whole Austrian empire. That Prince Metternich did not think it prudent openly to defy that opinion, appears plainly, from a single fact, too remarkable in itself, and explanatory of the present position of Hungary, not to find a place in our pages. Baron Wesselény, a magnate of Hungary and Transylvania, and consequently entitled to a seat in both diets, not only presented the diet of Transylvania with a lithographic press, for the purpose of establishing *an organ of public opinion;* but, in his speech in favor of the abolition of the expropriation law, called the magnates and the King "vampires, who, in turn, sucked the blood of the peasantry." For this speech, he was impeached and sentenced to death, but fled from execution to Pressbourg. At the *Hungarian* diet then held in that city, he denounced both the Minister of Justice, Count Sedlitzky, and Prince Metternich, as traitors to his country, and invaders of the constitution. For this new crime he was again sentenced to death, and his estates declared to be confiscated to the crown. Against both sentences *of the crown*, he appealed *to the diet;*

* Another demand of the Hungarian nobles,—not to appoint *German* officers into the Hungarian regiments, *and thereby to denationalize the army*, was not insisted upon, the Palatine Archduke Joseph rising and praying the faithful delegates of the different *Comitatus* to desist from it, as a REWARD of *his* attachment to Hungary, and the services rendered them during twenty years of his public life.

† The Hungarian diet consists of two chambers, viz: that of the magnates and bishops, which corresponds to the British House of Lords, and the lower chamber composed of the delegates of the inferior nobility and the free towns; each free town sending one delegate, elected by the citizens. No man can vote or hold property in fee-simple, except a nobleman or a citizen of a free town. The delegates receive from their constituents written instructions, regulating their conduct at the diet, which are previously discussed at the public assemblies, held in the different *Comitatus*, into which the kingdom is divided. These assemblies resemble so many provincial parliaments, and are almost entirely independent of the crown. They have their own jurisdiction, and their own troops, the comitatus huzzars, a species of light cavalry.

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which appeal was so effectual, that, although neither sentence was annuled, none was executed. Wesselény continued in Pressbourg, and the *Commitat-Huzzars* preparing to prevent his being arrested by force, the Prince Palatine finally declared that, "as long as *he* represented the king, not a hair of Wesselény's head should be touched." This declaration on the part of an Austrian prince, (the Archduke Joseph, Palatine of Hungary, is an uncle of the present emperor,) compared to the severity of measures adopted against the Italians, evidently shows the necessity in which the government is placed of yielding to the popular feeling; and affords a strong proof of the discrimination of its high functionaries in the application of different remedies to the same evil in different countries.*

The introduction of the Hungarian language into the diet gives, as every *national* language of itself does, an impulse to the people. This, moreover, is seconded by the establishment at Pesth, of an *Hungarian academy*, and the works recently published by a number of native writers, among which, we will only mention Count Szezcény's work "On Credit," and the reply to it by Count Desófy, which have occupied a large share of public attention.

These indices cannot be mistaken. Hungary and Transylvania have caught the spirit of the Polish revolution. But the Hungarians are a stronger and more energetic people than the Poles; they are not divided amongst themselves, and *began* their popular movement by an attempt to *emancipate the lower classes*. They are the most warlike and chivalrous people of the whole Austrian empire, and in possession of the richest soil. A revolution in Hungary would be more fatal to Austria than the Polish revolution could ever have become to Russia, and would at once sever the empire. It is for this reason the loyalty of the German provinces is so much courted. The *German* population of Austria is the only one on which the government could rely in an event of this kind. Gallicia would naturally sympathise with Hungary, and the Italian States are never to be depended on.

Under these circumstances, we can hardly consider the power of Austria as so firmly established as that of Prussia. It is composed of too many heterogeneous materials to give it strength or durance. Its politics, too, cannot, from the nature of its position, ever become general; and it cannot, therefore, execute any energetic measure. In a war for principles, (between England and Russia,) Austria can only throw armed masses on one or the other side of the belligerents; but in no case could she, consistently with her own safety, inspire her subjects with a patriotic devotion to their country. The greatest surety of Austria is *peace*. It is, therefore, her interest, to *prevent* revolutions, to destroy liberal principles in the bud; for she could not contend with them if she suffered them to ripen. So far, then, from considering Austria a formidable power, we think her destined to act but a secondary part in the historical drama, and incapable of acting any other. She is involved in an everlasting conflict of opposite principles, and is alike lost by an alliance with Russia or France. Her commercial interests are totally opposed to Russia, those of her government to the moral influence of France. She can move neither forward nor backward; she can neither meet dangers nor avoid them; but must stand still until her fate shall reach her.

With the exception of Austria and Prussia, there exists no absolute monarchy in Germany; all the minor States possessing, more or less, liberal *constitutions*. These constitutions, insignificant as they are, when compared to the free institutions of Britain, or even France, were, nevertheless, extorted by the force of public opinion, or, as was the case in Bavaria, by the financial embarrassments of the country.† In either case,

* Baron Wesselény's argument in favor of the liberty of the press was, that in every free country, every thing is permitted which is not absolutely prohibited by the law. The Hungarian constitution, argued he, contains no clause in reference to the liberty of the press, consequently the latter is established. This is certainly an ingenious argument, since the Hungarian constitution is older than the art of printing.

† King Maximillian Joseph, of Bavaria, was, in 1818, obliged to give a constitution to the Bavarians, in order, with the assistance of the people, to regulate the payment of the national debt.

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the necessity of conceding certain rights and privileges *to the people* was implicitly acknowledged; and, though the princes afterwards regretted having made these concessions, it was no longer in their power wholly to retract them.

If any one should doubt the fact of the seed of liberty being widely diffused throughout Germany, we refer him to the history of the years 1830, 1831, and 1832, from the revolution of July to the fall of Warsaw. The late French revolution, like an electric shock, convulsed Germany from the borders of the Rhine to the frontiers of Russia, from the boundaries of Italy to the shores of the Baltic. The immediate consequences were the partial abdication of the king of Saxony, the abdication of the duke of Hesse Cassel, the chasing out of the duke of Brunswick, and *the establishment of the liberty of the press in the grand duchy of Baaden.* The latter circumstance was immediately taken advantage of, by the establishment of a powerful organ of public opinion, called "The Liberal,"(*Der Freimuethige,*) which had an immense circulation, and was edited by the ablest men in Germany. Another liberal paper, "The Universal German Gazette," (*Die Algemeine Deutsche Zeitung,*) edited by Dr. Moebold, was established at Stuttgart, in Swabia;* and a number of similar papers were established in most of the large towns. The language held by these journalists, and the opinion of the people which they represented, were such as not only to make the petty princes of Germany submit quietly to the measures proposed by them, but to prevent even the holy alliance from attempting a blow against France. Even the jesuitical voluptuary, Ludwig I, of Bavaria, whose whole system of government consists in demoralizing the people, in order, the more easily, to reduce them to slaves, opened the assembly of the States by offering thanks to Providence for having released him from the awful responsibility of an absolute king.†

"The Liberal" went even so far as to advocate the re-union of the different States into a Germanic empire, not under the auspices of Austria or Prussia, but under those of duke Leopold of Baaden. This prince, one of the few virtuous of his class,‡ united the suffrages of nearly the whole liberal party, and was actually set up as a candidate for the dignity of emperor.

Matters were at this crisis when the Polish revolution inspired every heart with fresh hopes of success. During the whole time of this heroic but unfortunate struggle, the princes of Germany only ruled nominally. They dared not breath their true sentiments, or check the bursts of sympathy for a nation fighting for liberty, which were then poured forth from the press, and repeated and sung by the people, till the very forests echoed them to the wind. But the doom of Poland was sealed—the liberties of France betrayed by her "citizen king;" and Germany, in the middle, between two flickering lights, that touched her with a momentary illumination, plunged again into darkness.

Scarcely a year were the Germans allowed to mourn over the grave of Poland, before they had to lament the loss of their own liberty. The diet of 1832 abolished

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* This must not be confounded with the Universal Gazette, (Allgemeine Zeitung,) published at Augsbourg, the ablest and most influential paper on the whole continent of Europe—which has never been the organ of any party.

† Does the "*Foreign Quarterly Review,*" which extols the munificence of this patron of the arts, know the vile practices by which he extorts money from his people? Does it know that the late speech of the king of Würtemberg—in which he partially justifies his conduct towards the people, as being forced upon him by the other powers, but challenges them to prove him guilty of dishonesty in money matters, "*a charge justly brought against the sovereign of a neighboring country*"—refers to the king of Bavaria, who has been known to rob the public chest to gratify his inordinate tastes? Let the correspondent of the "Foreign Quarterly," visit the state prison at Munich, and converse with "*the political offenders*" who are there mixed with thieves and highwaymen; let him gaze on the full length picture of the king, before which these victims were obliged to *kneel down*, and ask forgiveness of their sins, and then praise the patron of the arts who extorts this base idolatry in a Christian country, in the 19th century.

‡ He is the only one who, though obliged to yield to the measures proposed by Austria and Prussia at the diet of 1832, never joined in the persecution of political offenders. He introduced a mild *censorship;* but has also introduced the trial by jury.

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the liberty of the press, threw the most distinguished editors into prison, excluded the champions of liberty from the legislative assemblies, abolished the most liberal papers ("The Liberal," and "The Universal German Gazette,") and put an end to all freedom of speech. All this was done so abruptly and unexpectedly, that the people who had ventured to rely on the promises of their princes, and had consequently omitted to concert measures for their common defence, could not for several months recover from their astonishment; and when they did recover, the Austrians were at Frankfort.

Thus ended the first fair dream of liberty in Germany; but the dreamers are now roused from their sleep, and made sensible of their true position. They have now tested, to the fullest extent, the veracity and good faith of their princes, and will not soon trust again to their sincerity. The events of the last five years have destroyed the last remnant of loyalty amongst the people, by exhibiting to them the true character of their rulers;—they have put an end to the delusive hope of establishing liberty *peaceably*, through ordinary means, and convinced even the most credulous German, that, in order to be free, he must himself assert that freedom, and be ready to defend it with his life and property. This is an important truth which the Germans could have only learned from experience, and which the late history of Europe has taught them.

Those who ridicule the idea of a revolution in Germany, are as little acquainted with the German character as with history. There is no more unbending character than the German; none which more steadily adheres to principles. The German character possesses that which places it above the destructive influence of tyranny; it is deeply imbued with morality and religion. When the Germans shall once arm themselves for liberty, they will fight, as in the thirty years' war, with a religious devotion to their cause; and not put the sword back into its scabbard until they shall have conquered. The liberals in Germany are not defeated! *They have not yet taken the field;* because, with the fall of Poland and the retrograde motion of France, they lacked the inspiring impulse of a great cause. Their strength is yet untried, and may have been spared by Providence for a worthier occasion.

Germany cannot commence a revolution, but she may complete one commenced by another people. Until Germany is revolutionized, no rational system of freedom can take root on the continent of Europe, though Spain, Portugal, Belgium, and Italy should have formed themselves into republics. The intelligence and morality of the Germans render them best capable of giving *permanency* to liberal institutions. "They form the rear of liberty," says Boerne, "and will decide the victory." "The French," says the same author, "are destined to pull down the old tottering edifice of society; the Germans will lay the foundation of the new one. In the wars for liberty, France will take the lead; but at the next congress of peace, in which every nation will be represented, Germany will act as president."

Few words will suffice on the subject of the minor powers, SPAIN, PORTUGAL, HOLLAND, BELGIUM, DENMARK, SWEDEN, SWITZERLAND, and the ITALIAN STATES. Spain and Portugal can never exercise a direct influence on European politics, except by the example of their liberal institutions, especially if the former should become a republic. In the mean time, it is of the greatest importance that the war for principles should at least be carried on in some part of Europe,—

"That strife between freemen and bondmen may spread through the world."

"Battles," said Voltaire, "are not lost by the number of killed and wounded, but by the effect which these produce on the survivers." The same holds now of the principle of freedom. Let liberty be once firmly established in Spain; let it be known that freedom found its way through darkness and superstition, through despotism and the inquisition; and it will inspire the liberals of all Europe with fresh enthusiasm for their cause. They will learn from it, that a people is free from the moment it is resolved to be so.

As regards the probable issue of the civil war in Spain, there can be no doubt of the eventual triumph of the liberal party notwithstanding the powerful assistance in arms and money afforded to the Pretender by the allied powers, and the peculiar

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local causes which have so long made it impossible for the queen's armies to dislodge Don Carlos from his ground of advantage in the mountains of the northeastern provinces The peasantry, fired by the priests, may yet for years be in a state of rebellion, similar to that of the Chouans in La Vendée; but the population of the towns, the intelligent men throughout the country—and their number has, since 1812, increased prodigiously—the troops and a large portion of the nobility themselves, are in favor of religious liberty and the constitution. If Charles V were to enter Madrid to-morrow as sovereign king, he could not maintain himself there. In the capital, his person and his court would be less secure than in the mountains of the Basque provinces.

The question between Holland and Belgium must be considered as indefinitely postponed, until, in a general war, the former may possibly renew her claims on the latter, and support her pretensions by the assistance of the allied powers.

Belgium, in its present state, is a mere appendage to France, and her government a true copy of that of the "citizen-king," with even less liberty of the press than the French have now left, after the passing of the September laws. But it differs from the government of Louis Philippe in this respect, that it possesses less vigor, less concentrated energy, and is less protective to the interests of the merchants and the small traders. The fate of the Belgians depends on that of the French, and the throne of king Leopold on the stability of that of Louis Philippe. Whenever France shall become a republic, Belgium will become one of her provinces.

Holland is, from the peculiarity of her position, and the want of a powerful navy to secure her a rank among maritime nations, thrown upon an alliance with Russia and Prussia, which must, sooner or later, prove fatal to her independence. It is now known that Prussia cherishes a particular tenderness for Holland, though the Dutch nation is not disposed to make an adequate return for it. Holland cannot maintain her present position long, nor will the people, who have been overtaxed ever since the first war of the republic against Spain, be able to furnish the means for the support of so large an army. Dutch trade is also on the decline; and it is an established fact, that, not more than ten years ago, the Americans alone had more ships engaged in the Java trade than the Dutch East India Company. Holland, we fear, will with difficulty maintain her national independence; but, still, the dangers with which she is threatened by her allies are infinitely greater than those resulting from the coalition of France and Belgium.

Denmark and Sweden have long ceased to exercise a powerful influence either on European politics in general, or particularly on those of Germany. The king of Denmark, by virtue of the duchy of Holstein, is a member of the Germanic diet; but has not the least influence on its deliberations, and the maritime importance of Denmark was, together with her fleet, destroyed in the battle of the Sound. Sweden—at the peace of Westphalia, the protector of Germany—is now a power of less consequence in the scale of European politics than Prussia; and has not even preserved the regular succession of her monarchs.* But the Swedes are still an unconquered people, full of ardor and patriotism, and devoted to the cause of liberty. They are the natural enemies of Russia, and must, in case of a war, side with the friends of freedom.

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* Gustavus IV, of Sweden, the last of an almost uninterrupted series of heroic kings, died on the 7th of February last, at a small inn at St. Gall, in Switzerland. He had there assumed the name of *Gustaveon*, (son of Gustavus,) and lived in great retirement and poverty. He was the only prince on the continent of Europe who once dared to oppose the Corsican conqueror. In 1806, when Francis II abdicated the throne of Germany, he declared this measure as treacherous, and opposed it as "Protector of the confederate princes;" a title soon afterwards assumed by Napoleon himself. He was, in consequence, obliged to quit the throne of his great ancestor, whose victorious armies had once carried the Swedish power from the Baltic to the foot of the Alps. He was a man of great talents, and unconquerable determination—a character which, under different circumstances, would have graced the history of his country.

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SWITZERLAND. Since Louis Philippe's masterly stroke against the confederation, the latter is hardly left with the rights of an independent power. The different cantons are divided amongst themselves, and the intrigues of Prussia, facilitated by her possession of Neufchâtel, prevent the ultimate adjustment of their differences in an independent, national manner. The fact is, that though nominally free, the Swiss, of many cantons, are nothing but slaves of their aristocratic masters.* Education, learning, and the arts, are in a state of infancy, while religious tolerance itself is but partially established. This state of things the German refugees in Switzerland had commenced to reform by the organization of a university at Zurich, and the establishment of a number of liberal papers, whose tendency it was to change the local attachment of the Swiss to their cantons into a national enthusiasm for the confederation; the narrow spirit of religious intolerance into more enlarged sentiments of mutual forbearance; the feudal system of the aristocratic cantons into a liberal system of *democracy*. This *national* impulse imparted to the people of Switzerland, it was the policy of the French King, and the holy alliance, to destroy; and they have succeeded in it—as far as diplomacy could accomplish it—beyond their most sanguine expectations. But the seed of reform and democracy, which has been scattered in the different cantons, cannot be destroyed by the intrigues of a few cunning and profligate politicians, and the prediction is well founded, that Switzerland, in a general war, would have the courage to assert her national independence, and strength enough to defend it.

In ITALY, the Austrian influence must prevail until France assumes a different attitude. Austria, being master of the kingdom of Lombardy and of Venice, (the most fertile and best cultivated part of Italy,) protector of the duchies of Modena, Lucca, Tuscany, Parma, Piacenza, and Guastala, and indirectly governing Rome, Naples, and Sicily, may be said to rule Italy as effectually as if all these States were actually subjected to her sceptre. But every year of her administration increases the hatred of the Italians against her despotism. The Italians never can, never will, peaceably submit to be governed by any power seated beyond the Alps, nor will any *German* administration, ever so just and wise, satisfy their national vanity. Austria, moreover, is far from ruling Italy with a mild sceptre. For fifteen years in succession have 80,000 Austrians been encamped in the northern provinces of Italy. The whole kingdom of Lombardy and Venice presents the aspect of a country invaded by a victorious army—marching and counter-marching of troops on every road—cannon and bayonets in every town and village. Austria retains, in this manner, a military possession of Italy; but none founded on historical pretensions, or the common consent of the people. Neither have the Italians the least confidence in their rulers, or the latter the least confidence in the people. Both mutually distrust each other, and turn their eyes towards France; one with suspicion and fear, the other with the hope of liberation. France alone can decide the fate of Italy. United with the French, the Italians may make one more desperate effort to shake off the yoke of Austria, and accomplish their national independence.† Without the assistance of France any such attempt would at, present, like the revolution of Poland, only involve their

* The canton of Berne is remarkable for the pride and insolence of its nobles, and the poverty and slavery of the peasantry.

† The fortifications near Brixen, on the Tyrolese road to Italy, which the Austrians are now raising at the expense of upwards of 10,000,000 florins, (about 5,000,000 dollars,) prove that they are preparing themselves for another French visit from that quarter. The passes these fortifications protect, command the Tyrol, Bavaria, and the whole upper part of Austria proper, including Salzbourg, with the road to Vienna; but they are of no use except in case the French and Italians should take the Verona road to Inspruck; from which place diversions may be made into Bavaria and Salsbourg, which would at once open the road to the heart of the Austrian empire. The passes in Upper Austria are again defended, and at Lentz, strong fortifications are also erected, and adapted for the use of Congreve rockets, to dispute this last strong hold of Austria to a victorious army. The Austrian government, whose financial embarrassments are unequalled by those of any other country, would, in time of peace, scarcely expend so many millions on fortifications, if she could rely on the fidelity of her Italian subjects. Mantua alone could, as it once did, hold out against a whole army.

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country in ruin. Italy, like all other minor states, must abide the issue of a general war between the aristocracy and democracy of Europe, in which she herself is destined to take a gallant part.

Opposed to the liberal principles and common interests of mankind is the power of Russia, hovering like an eagle over its prey, and threatening, at every moment, to seize upon its victims—the civilized nations of Europe. The power of Russia is unquestionably alarming, and on the increase; but it is nevertheless overrated by friends and foes.

Russia consists of an assemblage of forty-eight different nations, united into an empire by nothing but a military despotism. These forty-eight different nations speak so many different languages; are widely separated from each other by customs and manners; and among them are many, who, like the Polish, entertain the most implacable hatred against the Czar. So many heterogeneous elements can only act in concert as long as they are barbarous. Accustomed blindly to obey the mandates of their military chieftains, civilization separates them by attaching them to the soil and to the interests of their respective countries. These, it would teach them, are not identified with the growing despotism of Russia; but, on the contrary, with the destruction of its baneful influence. The different people of Russia cease to be *Russians* when brought under the humanizing influence of the arts and sciences. They then become *Europeans*—subjects of that great moral empire, which extends from the extreme west of America to the confines of Asia,—and rebels in their own country. Civilization *weakens* the Russian empire instead of giving it strength, as is the case with every other country. It cannot give the Russians a *national* impulse, because it pleads the cause of her enemies, and is identified with their political progress. These are facts which have been repeatedly proved by the disaffection of the Russian nobles—almost the only educated people in Russia—and, of late, by the spirit of discontent manifested by the officers of the garrison of Warsaw. It must, therefore, be the policy of Russia to check the progress of civilization and the arts; to diminish the means of instruction, and to prevent, as far as possible, the formation of a public spirit. She is thus forced to destroy the chief elements of a nation's greatness, and reduced to no other means of attack or defence than the huge masses of her soldiery. In case of a war, the power of Russia would rest on mere numerical elements, while national enthusiasm, love of country and of home, devotion to liberty, and the strong principle of national honor, would unite to increase the moral energy of her antagonists.

But even the number of troops, which Russia could put in the field, is far less formidable than is generally believed, even by military men. In the last war against Napoleon, the whole number of Russian troops which actually passed into Germany and France, was rated at less than 100,000, equal to about one-half of the Prussian army. They had no important share in any of the great battles which decided the fate of Europe; and the terror of their arms was more ocasioned by the cruelty of the soldiers than by their valor.* Did not a handful of Poles, unassisted by the great mass of the people—for we must not disguise the fact, that the peasantry acted no decided part in the late Polish revolution—defy the whole power of Russia for more than nine months? And was not the emperor of Russia obliged to order even the Asiatic regiments to the theatre of war, though the Poles had not one strong fortress capable of defending their lines?

The very extent of the dominions of Russia detracts from her strength *as an invading power*. It is with extreme difficulty that she can concentrate an army on any point; because, ruling by military despotism, she is obliged to leave strong garrisons in every town and village of her provinces. Her dominion over a large portion of her subjects, is merely nominal, or, at best, established in the plains, while the

* The Cossacks, who took the southern road of Germany, passing into Swabia, made themselves so abhorred by the inhabitants of those provinces, whose allies they were, that whole villages rose, first to expel the French, and then the Russians.

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undaunted warriors, as is now the case in the provinces of the Caucasus, defy the Russians from their strong mountains. France and Germany, on the contrary, can, in case of a popular emotion, turn millions into the field. They may, as was done by Prussia in the wars of 1814 and '15, muster their whole male population capable of bearing arms, and bring it at once into action.*

History informs us that the north has repeatedly poured out its hordes of barbarians, who, by their greater vigor, and the peculiar youthful energy of a savage people, have overpowered the more effeminate people of the south. But, if we mistake not, the precedent cannot be applied to Russia. The German barbarians who destroyed the Roman empire had not introduced Roman luxuries into their camps, and their leaders were as vigorous and uncorrupt as the masses which followed them. The Russians, on the contrary, are acquainted with every refinement and luxury of the south; their nobility and the officers of their army are the greatest voluptuaries in Europe, and their manners became daily more effeminate by continued accessions from those of the Orientals. They are, in fact, civilized barbarians, possessing all the outward refinements of polished nations, without their humanity and learning. There is more morality and virtue in the Germans than ever graced a Russian camp. So far from rushing on an effeminate people, they would encounter a nation whose physical and moral power is superior to their own. Besides, the nations on the continent are, with the exceptions of the Italians, all of a warlike character, they are armed and *prepared* for such an invasion. Civilization, moreover, is no longer confined to one or two particular states, but, by the press, is spreading over the world. Every ship which enters a Russian port discharges its cargo of intelligence, and reclaims her subjects from barbarism. Russia will be partially civilized before she will attempt the conquest of Europe; but then the elements of her power will no longer act in her favor.

Before dismissing this subject, we must once more advert to the unfortunate Polish revolution. Deplored as its unhappy issue must be, we cannot agree with those who infer from it the complete destruction of Poland, and the final security of Russia from a similar attack in that quarter. We have the Autocrat's own assurance that he cannot trust the Poles to themselves, and that he does not consider a vanquished nation as destroyed. We learn from his own speech to the corporation of Warsaw, that he considers it prudent to maintain a large standing army in that country, and that he has given orders to destroy the city *at the first signal of revolt*. We thus learn from the mouth of the conqueror, that the victory is yet incomplete, and that he anticipates another battle. It is gratifying to learn this from the Czar, though it might have been inferred from the lessons contained in history. The Greeks were oppressed for centuries, and preserved their nationality even after they had lost their language, and maintain this nationality now against their own king. How could Poland be destroyed by the events of *one* unfortunate war!—Poland, whose heroic deeds must live for ever in the memory of every Christian and patriot. A people may be conquered, but they cannot be destroyed until they have learned to be slaves. This the Poles have not yet learned; and for this reason the despot threatens still with his bombs and cannon.

But we must not forget that it was but a portion of the former kingdom of Poland which engaged, and was defeated, in the combat with Russia. The inhabitants of the duchy of Posen, the kingdom of Galicia, and ancient Lithuania, were not directly involved in that struggle. These provinces, therefore, are yet fresh, and may, under favorable circumstances, yet unite and revive the spirit of Warsaw. The Poles themselves do not yet despair of their cause; and this is the surest proof that it is not yet hopeless.

The Russian army stationed in Poland has already imbibed many principles which it has combatted with the sword. The conquest of Poland is perhaps one of

* During the years 1814 and 1815, Bavaria alone raised 80,000 troops, although 30,000 Bavarians had previously perished in Russia; and the little duchy of Baaden mustered 20,000!

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the surest means of scattering them amongst the Russian population; and who can foretell whether the very division of Poland may not, in its fatal retribution, destroy the powers which sullied history by the commission of that crime. We believe in Nemesis, and are convinced that every crime, individual or national, is sure to work out its own punishment.

If, in a probable war with Russia, England remain true to the democratic principles by which she is now animated, and do not suffer herself to be divided by party spirit, or the influence of her wealthy aristocracy, it will be in her power to make herself the great representative of liberal principles throughout Europe. She will rush on her foe with the strength and energy of a new-born people, followed by the patriots of France and Germany, and amid the acclamations of every civilized nation. The moral force then thrown into her scale would shake Russia to the centre, while resuscitated Poland might accomplish the dismemberment of her empire. A war between England and Russia must necessarily become general, and decide the fate of Europe. England could not temporize, because every day would increase the power of the enemy.

In the mean time, it is the interest of England to conciliate the people on the continent, and more especially to obtain the suffrages of Germany. The people on the continent are acquainted principally with the aristocratic pretensions of the English, *as opposed to liberty and democracy;* and, to say the truth, England *has* been the strong hold of European aristocracy. There is something dazzling in the feudal splendor of Britain; in her remains of chivalry, her ancient castles, in the state and pomp of her nobles, in their palaces, their refinement and taste. But the French are a nation of of soldiers, and the Germans a nation of thinkers. Feudal magnificence neither excites their wonder, nor does it coincide with their taste. The French have, with the sword of Brennus, destroyed it, wherever they found it; the Germans have combatted it with all the weapons of philosophy. The English *aristocracy*, therefore, cannot make proselytes on the continent, or excite the sympathy of the people; but the English *nation* may rouse their enthusiasm by its manly virtue, its matured freedom, and its wise and generous laws. Let these be known and understood by the people of the continent, and they will soon learn to identify their own liberty with the liberty and independence of Britain, and take up arms in defence of their common rights.

So far then from seeing, in the growing democracy of England, a cause of her future decline, we view in it the providential developement of a principle which imparts new life and vigor to her people, and is destined to save not only her, but the rest of mankind, from oppression and bondage. We look upon the genius of England as the good genius of history, and trust that England will be true to it.

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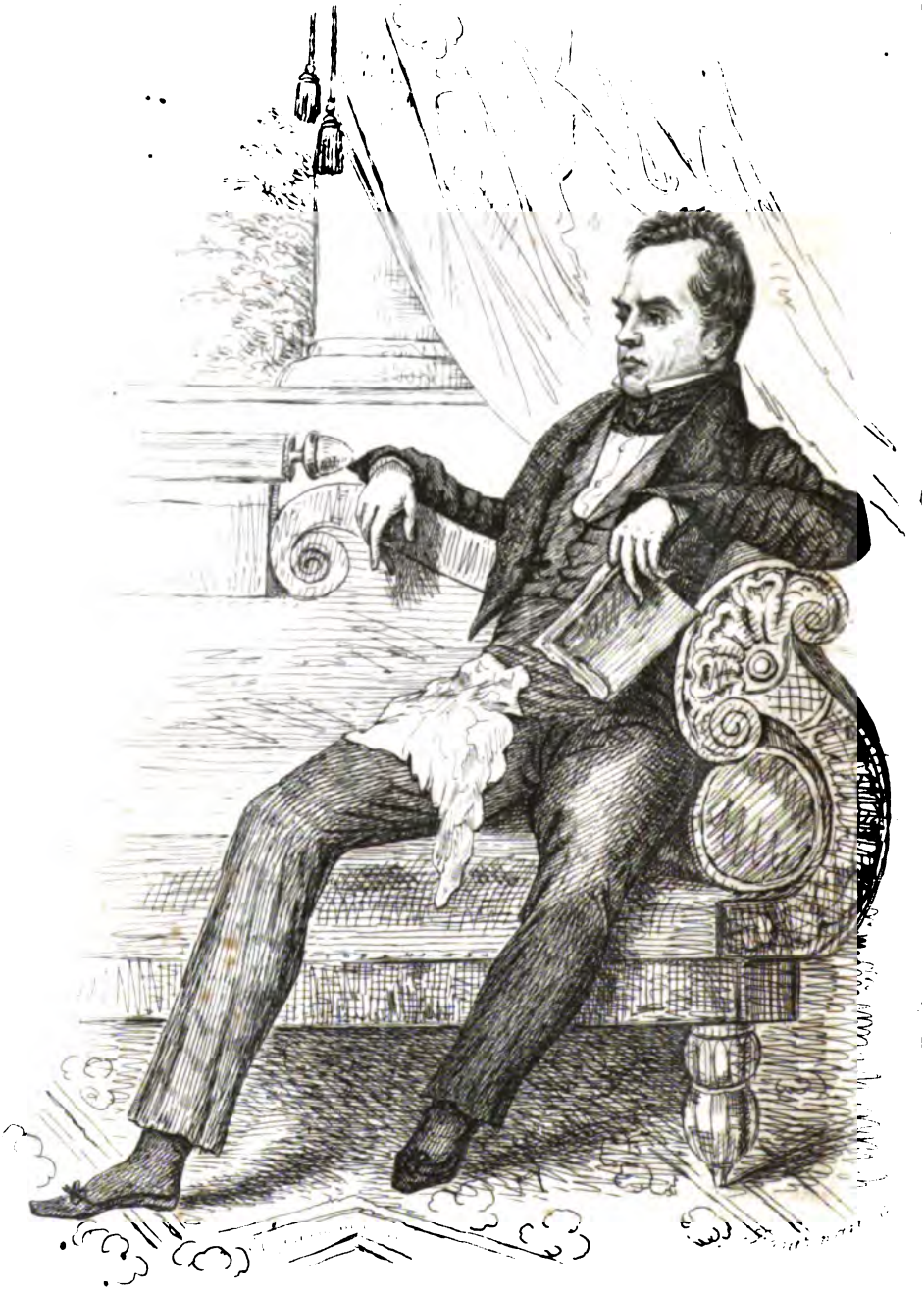

W. C. Rives.

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THE

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THE SUPREME COURT OF THE UNITED STATES.

ITS JUDGES AND JURISDICTION.

THE late *renovation* in the constitution of this august body, by the creation of seven of its nine members under the auspices of the present democratic ascendency, may be regarded as the closing of an old, and the opening of a new, era in its history. And certainly to those who have looked on, for so many a weary year, in sorrow and almost in despair, at the career of high-handed judicial legislation, which it was so proudly pursuing, this correction—salutary, however tardy—of the anti-democratic tone of principle that has so long characterized it, affords a subject of sincere congratulation. The new cycle, then, that has just dawned, presents a fit occasion for a retrospect of the past measures, which we will intersperse with a few characteristic sketches of the men and manners, of that dignified *banc*. By establishing in the public mind, at this time, distinct ideas of the errors of the past, we shall most effectually guard against their possible recurrence for the future.

We are aware of the blind veneration which has heretofore sealed the eyes of a very large proportion of the public, whenever their looks have been directed towards that sacro-sanct tribunal, in prostrate submission to its presumed infallibility; and, in discussing our subject with the freedom which it demands, many a reader may perhaps hold up his hands in holy horror at the impious temerity. But this abject mental subjection to authority and assumption is unworthy equally of our country and age. We despise that timid prudery in politics which has become too much in vogue. It is high time to print what has been often and earnestly spoken, and what every one ought to know. Freedom of discussion, of all subjects within the range of human ken, from highest to lowest, is the vital principle of American liberty. The noblest and best of institutions can be preserved in their purity only by the perpetual vigi-

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lance of public opinion. Their best friends are those who most frankly and freely agitate the frequent discussion of the first principles on which they are founded, and by which their conduct should be ever jealously judged; and those who would inculcate that blind veneration and submission to which we have alluded, and thus leave free scope to the gradual developement of those abuses which seem inseparable from the practical working of all human institutions, are in truth their most dangerous enemies.

We certainly are not aware that this humble deference, which those who affect to be most shocked at the reckless boldness of democratic free inquiry claim for all those existing powers, privileges and dignities, to the evils or abuses of which that spirit might be presumed to menace possible danger, has been, or is, exhibited by themselves, in any very remarkable manner, towards those things and persons which the votaries of the democratic faith, in our conflicts of party creeds, have been wont to regard as their dearest objects of reverence. To say nothing of the licentiousness of a party press, by which language is habitually exhausted for the vilification of the best and purest of men, and the wisest and most honest of measures, have we not heard, for instance, of a President, whose wont it was, open-mouthed, at his presidential dinners, to speak of "*that old fool*, Franklin?" The practice, once universal among the members of the political school of that President, of unreserved execration of two of the brightest luminaries of American democracy, Jefferson and Madison, has not yet entirely died away; though, as against the former, but a feeble echo yet lingers on our ears; and of the latter, many of those same gentry have by this time become not less zealous in panegyric, than they were erst in abuse.

We cannot but acknowledge a lamentable deficiency of real moral independence too extensively pervading our society—especially, we think, on our sea-board—notwithstanding the peculiar boast of our national anthem. Above all, the professional bigotry and subserviency of lawyers are the most inveterate. State, church, medicine, science, and the useful arts—all these are to a greater or less extent Americanized; but jurisprudence remains still almost stationary at at the old Blackstone moorings. The peerage of the bar yet stickles for exclusive privilege and foreign precedent; and to read the fulsome and foolish post-obit 'orations' of some of these legal peers on each other, no wonder that foreigners undervalue us as the most clannish, hyperbolical, and gasconading of mankind.

We shall, then, speak freely and candidly of these grave and potent dignities. It is our opinion that the judiciary system of the United States is based on false principles. The entire omission, in its organization, of the element of responsibility to public opinion—that great conservative principle on which the health and vitality of every other department of our system depends—the neglect of the

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essential distinction between judicial independence and judicial irresponsibility, which had its origin in a deceptive analogy between our system of national, and the English system of monarchical, sovereignty, we look upon as a fatal error. And we see not less clearly an illustration of the correctness of this view in the history of the highest tribunal of the Federal Judiciary, than in most of the minor courts of the respective States.

Our review of so large a subject must necessarily be cursory; it shall at least be honest and true, though it may strike many readers as bold; though we shall nought extenuate, we shall set down nought in malice; and though we may condemn past abuses, it shall be with a single view to their future remedy. Whatever may be our ideas of the proper theory on which our American judiciary system should be modelled, we acquiesce in it as established; and are only anxious to sustain, exalt and improve it, in common with all our other American institutions. To preserve, we would purify. We would thus vindicate and guard its constitutional and legitimate jurisdiction; its real, lasting usefulness and dignity; together with that respect of the bar, and confidence of the community, which we would sedulously cultivate, for what ought to be the cheap, prompt, impartial and independent administration of justice—and nothing more.

It is a curious fact, which no where distinctly appears, either in the Federalist, the lectures of Wilson, the notes of Tucker, the commentaries of Kent or Story, or, as far as we recollect, in any American history—it is nevertheless a fact, that the creation of the Federal Judiciary was partly owing to foreign influence—to British debt—and that ascendency, which launched our American Government on a sea of troubles, in the midst of such rocks of the *British channel* as a funding system, national bank, internal taxation, soon stranding Washington's administration on the quicksands of civil war—"malum *extremum* discordia," saith that gloomy but profound teacher, Tacitus—dreadful warning, which all the modern history of Spanish America should fearfully impress upon us! English creditors, wanting confidence in American State courts, succeeded in procuring the establishment of Federal courts, that they might in them enforce the collection of those debts, the justice of much of which one of Jefferson's most elaborate and masterly state papers, while Secretary of State, goes to disprove. English debt!—that king's-evil of these United States, by which we are now again cancered and convulsed—whose contractors and advocates are, as then, and always, chiefly found among those friends of funding, banking, incorporating, speculating and taxing, among whom but few friends are to be found to the principles of Jeffersonian republicanism.

No act of Congress carries into complete effect the full constitutional grant of jurisdiction to the Federal courts. The Supreme

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Court declares emphatically, in one of its *didactic* decrees, (what would be thought of a judgment of the Court of King's-Bench that should lecture Parliament on what it *must* enact!) that the language of the Constitution is *mandatory*, as respects that court, and that Congress *cannot lawfully refuse* to vest in it the *whole* constitutional jurisdiction. Such are the language, tone and temper of the belligerent strain of judgment in the case of Martin against Hunter. But be that as it may, enough jurisdiction has been either granted or assumed, to render the Federal Courts important auxiliaries, as they are in some instances the supreme executors of the law of the land. And though a judge of the Federal Court of Louisiana (once the representative in Congress, and then governor of that State) used to tell suitors surlily, that there is no right to sue in a Federal Court whenever State courts have jurisdiction—yet that was but a rare instance of self-denial. We have, on the other hand, seen the Federal Judiciary grasping at jurisdiction with a covetous eagerness, and a wide stretch of embrace, which could never be satisfied within any limits short of universal dominion. This is the great abuse against which we would direct our efforts. The action of this branch of our political system has tended more fatally than any other towards that federal centralization of power deprecated by the State-Rights and Democratic school of politics; while by its lavish use of the judicial Veto it has gradually erected itself into a high political and legislative power—never contemplated by its founders—stretching its potent sceptre over sovereign States and nations, the monarch of all it surveys. We repeat that we are anxious to exalt and strengthen this institution in the discharge of its legitimate functions. We consider it a wise provision for most revenue, all admiralty, much maritime and constitutional, and some other jurisdiction, besides its criminal cognizance—always preserving trial by jury, where it can be done. It is only against its inordinate extension of jurisdiction and usurpation of political power, that our censure is directed. We trust that all its sincere and considerate friends will read this review with that conviction.

None of the Chief Justices, and but few of the Associate Justices of the Supreme Court, have been mere lawyers,—that caste on whose "trades'-union" some of Burke's bitterest invectives are bestowed,—the *pekins* of the French revolution, as the *robe* of France were nicknamed by the military; whose science is not apt, saith Burke, except in persons most happily born, to open and liberalize the mind, exactly in the proportion it sharpens the wit and invigorates the understanding; whose vocation it is to work with such tools as *belluinas, atque ferinas, immanesque leges*—so the civilians stigmatize the feudal laws—such laws as make up that most complicated and irrational of all modern jurisprudence, the land tenures of England, the delight of so many American legists, and

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from which we have been with difficulty and but partially emancipated.

At the head of the nobles of the profession at the same time in England, France, and this country, were lately Chancellor Brougham, Baron Dupin, and Chief Justice Marshall—neither of them a mere lawyer. It has been the uniform practice of our Presidents to appoint distinguished statesmen to judicial stations; from which cause as much perhaps as any other, (for *nil est ab omni beatum*,) American judicial proneness has constantly been to the exercise of political as much as mere civil jurisdiction. From the personal training of American judges, and the nature of American institutions, our courts have become so political, as to deem *meum* and *tuum* subordinate if not irksome matters; while the delight and glory of the Supreme Court has been, fomented by ardent advocates, surrounded by brilliant auditories, to pass upon the laws and rights, the interests and liberties, of sovereign States; to sit in judgment upon the acts of presidents and governors, charters of banks and universities, treaties, creation, existence, and intercourse of nations, rights of war, and other such ambitious topics, seldom elsewhere the province of judicature; not only to interpret and enforce laws, but to annul them. Written constitutions may be said to lay triple tiers of law: first, fundamental and supreme, the constitutional; secondly, the legislated; and, lastly, the unwritten; unavoidably begetting the necessity to some extent of political as well as civil jurisdiction; which our complex government of State and Federal sovereignties aggravates. But the immense and unexampled prepotency of putting judicial vetoes on laws, not when about to be enacted, but after they have been long in force—this vast constructive faculty, unknown in any other age or nation, has become of late the ordinary, the favorite occupation of the Supreme Court of the United States; and, after their example, of all other courts and judges throughout the country; so that it is the assumed function of all this magistracy to invalidate whatever act of State or sovereignty lawyers denounce to judicial repeal. A French court has lately exercised something like it, by the abrogation of a royal ordinance declaring martial law in Paris; and we are not to be understood as arraigning the jurisdiction itself, while earnestly calling attention to the fact of its towering, tremendous, teeming, and perennial exercise. Scarce a year passes, or a court sits, without this prodigious incubation. The Supreme Court is always big with it. Every provincial tyro in his teens just learning to spoil a suit, is encouraged to flesh his maiden sword on this *ultima ratio judicii*, by some puisné judge sitting irresponsibly during what is *technically* called *good* behaviour; who, after premising what reporters and editors will be sure to extol as a most learned and eloquent homily, on legislative and executive usurpation, and regretting his painful duty to correct such abuses, calls down

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the Goddess of Reason, that lately set up idol of jacobin law, to interpose and cut the knot of naughty legislation.

No veto power, ancient or modern, has existed, so formidable as this constructive judicial authority to abolish laws, to abate them, like nuisances, *festino remedio.* Every day ministration, as it has become, instead of merely the 'extreme unction' of judgment, to be resorted to only in case of imminent danger—and without that American panacea, the oil of European sanction—standing alone, as our courts do, on this modern pyramid which they have erected for themselves, without the prop of their darling "*stare decisis*"—having, by this species of innovation, revolutionized the law, and amalgamated all departments of government, which Montesquieu and Blackstone proclaim it as the first principle of free institutions to keep inviolably distinct and separate—no apology can be needed, with judicious and reflecting friends of free institutions, for earnestly endeavoring to fix attention, nay more, to fasten apprehension, upon the judicial Veto. We are among the most steadfast friends of a government of law. There can be no good government without its supremacy. While law is wisely and impartially administered, other operations of government may almost stand still, without much private wrong or public suffering. Let justice be faithfully administered, without sale, denial, or delay, and the entire apparatus of Presidents, Secretaries, Generals, Post-captains, Foreign Ministers, Members of Congress, and other functionaries, with armies, navies, fortifications, appropriations, &c. &c. may almost be dispensed with; and we confidently believe that a century hence will exhibit such an approximation towards this state of things, and with it a yet unknown degree of social well-being and improvement, as would astonish the present generation, were such a glimpse possible behind the curtain of the yet unborn future.

An old French gentleman, who was once, fifty years by-gone, Secretary of Legation in this country, and has since held office, with all the pliant tenacity of the Vicar of Bray, under Emperor, King by the grace, and King without grace—the Marquis de Marbois, after dedicating a book to that sovereign dolt, my lord the Dauphin, with many encomiums on the wisdom and virtues which he poetically attributes to his royal highness, in his preface to his pleasant history of Louisiana, thus describes the Supreme Court of the United States:

"Il existe à Washington une puissance qui n'a ni gardes, ni palais, ni trésors: elle n'est ni entourée de commis, ni surchargée de régistres. Elle n'a pour armes que la vérité, et la sagesse. Sa magnificence consiste dans la justice, et la publicité de ses actes. Cette puissance est appelée la Cour Suprême des Etats Unis. Elle exerce le pouvoir judiciaire en ce qui concerne les intérêts généraux des Etats Unis,—entr' eux et avec les puissances étrangères. Les

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membres de ce tribunal ne peuvent être privés de leur office, que pour cause d'inconduite, et par jugement. Leur inamovibilité est une guarantie de vertu, et d'une instruction qui croît d'année en année. Leur jurisdiction est immédiate, lorsque les ambassadeurs, ministres, et consuls, ou *les états*, sont partis. Dans les autres cas, ils sont juges d'appel. Ces cas sont particulièrement ceux où des étrangers sont partis contre *des Etats*, ou des citoyens. Cette cour a d'autres attributions, qui dejà alarment quelques amis de la liberté. Mais qu'a-t-on à rédouter d'un pouvoir dont la justice fait toute la force; qui peut, il est vrai, réduire les autres pouvoirs à l'inaction, en déclarant qu'ils agissent contre les lois constitutionnelles; mais qui souleverait toute la république contre lui-même, si sa déclaration n'était pas conforme à l'évidente vérité."

We cheerfully subscribe to this glowing panegyric. May its *beau ideal* of fond foreign fancy be always a reality!—But the glorious truth is beginning to prevail, that the most dangerous, and the weakest of all governments, is *over*-government. It may be still believed in the old world, and the heresy yet lingers even in the new, that, to be strong, government must be arbitrary,—like the exploded maxim of the law, that it is the part of a good judge to enlarge jurisdiction. We abjure all such heresies. The only strong and durable government is that which is mild and representative; understood and shared by the community, yea by the commonalty; and of all branches, that most needing to be strengthened by moderation, engaging the sympathy of the people—the weakest of all, in which the people share only as jurors—is the judiciary. In no part of the world is there such popular reverence for it, as in the United States of America, which it would be infatuation to impair by usurpation or excess. Let the majesty of the law always be upheld by the confidence of the people, and never endangered by professional encroachment. We desire to make the Federal Government strong in every department, especially the judiciary, by rooting it in the strength of universal veneration, well assured that power by compulsion, power of prerogative, and above all constructive power, are but vanity and vexation. It is false to every patriotic emotion, not to use plain language—the language of real affection—if this vital function is distempered—

"Entire affection hateth nicer hands."

It was in 1798 that the Supreme Court for the first time sat in judgment upon the act of a sovereign State, a law of Connecticut; when the judges, Chase, Paterson, Iredell, and Cushing, not only shrank from the exercise of a power since become so cheap, but the boldest of them, Chase, closes his opinion by saying: "I will not go farther than I feel myself *bound* to go; and if I ever exercise the

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jurisdiction, *I will not decide any law to be void but in a very clear case.*"*

We here see the almost imperceptible source where this overwhelming cataract, as it has since become, of jurisdiction, just oozes from the earth. It shall be our task to trace it onward, till we shall find it swelling to a flood, and sweeping all obstacles before its mighty way.

But before proceeding in this duty we may pause awhile by the way, to indulge in a few of the many reminiscences and personal sketches of the men and manners of the olden time of the court which crowd on our memory.

The first judges of the Supreme Court of the United States were Jay, Cushing, Wilson, and Blair. Soon after came Iredell and Thomas Johnson. In 1793, Paterson succeded Johnson, and in 1796, Chase was appointed in the place of Blair. Rutledge, nominated Chief Justice in the place of Jay, never took his seat. The present is the only Chief Justice of the United States who has not been on foreign service. Chief Justice Marshall, like ancient Glanville and modern Erskine, marshalled squadrons before he marshalled pleadings. Three of the first judges, Wilson, Blair, and Paterson, were *framers*. Another, Chase, was a *signer*. Massachusetts has never been without a judge of the Supreme Court; and the two from the same corner of that State have been on the bench nearly half a century. New Hampshire, Delaware, Vermont, and Rhode Island have never had a judge. New York and Maryland have each had three, Virginia four, and for thirty years two at a time. North Carolina and Georgia have each had one. South Carolina two, but Chief Justice Rutledge never took his seat. Of the two appointed from Pennsylvania, Wilson was a native of Scotland, and Judge Baldwin is of Connecticut. Judge McLean, named of Ohio, was born in New Jersey; from which State also was Paterson. Judges Todd and Trimble, of Kentucky, were both, we believe, originally of Virginia.

The Chief Justices were Jay, of New York, Rutledge, of South Carolina, Ellsworth, of Connecticut, Marshall, of Virginia, and Mr. Chief Justice Taney, of Maryland. Of the thirteen Attorney Generals,

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* That is, such a case of unquestionable legislative error, or usurpation, that no two judgments can differ about. This is clearly the true principle; departure from which has been the cause of the most flagrant divergence and diversity of judicial opinion ever known. So says, and so shows Judge Baldwin, in his very able, but rather angry, tract, entitled "A General View of the Origin and Nature of the Constitution and Government of the United States, deduced from the political history and condition of the Colonies and States, together with their exposition by the Supreme Court of the United States," &c. Chase, who did not hesitate to set his hand to the Declaration of Independence, his life and sacred honor on that cast, was not bold enough to give judgment to strike a State down from its sovereignty, without light *luce clarior*.

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two, Edward Randolph and Robert Smith, became Secretaries of State; and Robert Smith also Secretary of the Navy; three, Cæsar A. Rodney, William Pinckney, and Richard Rush, foreign ministers; two, Richard Rush and Roger B. Taney, Secretaries of the Treasury; one, William Bradford, died in the office; and only one, Roger B. Taney, has been made a judge. It was Mr. Pinckney's oft expressed opinion, that the office of Attorney General of the United States is the most laborious and responsible of all our public stations. Yet, if we mistake not, he and one other are the only two who performed the uncommon exploit of voluntary resignation. The present excellent incumbent is well known to have anxiously desired it, and to have been hitherto kept in the office, against his will, only by a high sense of duty, to the great detriment of private interests. Of the reporters, Dallas was afterwards a distinguished Secretary of the Treasury; Mr. Cranch has been, almost for a time whereof the memory of man runneth not to the contrary, Chief Judge of the court for the District of Columbia; and Mr. Wheaton is now the American Minister Plenipotentiary in Prussia. The marble bust of Jay in the massive hall of the Supreme Court in the crypt of the capitol, is a tolerable likeness of that honest Huguenot, remarkable for his directness and purity of character, honorably employed in many important public services, both at home and abroad, but who was said not to have had the gift of second-sight of the destinies of that stupendous Southwest, which (let all travellers by steam on the western waters recollect) it was long contemplated to surrender, with the navigation of the Mississippi and all its magnificent valley, to Spanish, which would have been to Bonapartean, possession. Instead of conquering Africa, from the *point d'appui* of Algiers, French armies might now be entrenched at Cincinnati and Louisville, living on tamarinds, which Chateaubriand, by poetic license, says, grow on the banks of the *Méchacébé*, and debating, at the cannon's mouth, with our Kentucky Gascons, the liberty of being blown up by steam or snagged upon sawyers. Chief Justice Jay and Chief Justice Ellsworth were both diverted from the bench to foreign missions. Jay's treaty with England, and Ellsworth's embassy to France, made as much sensation in their days as the removal of the deposites, nullification, the suspension, or any of the volcanoes that have burst in ours. In the late treaty with France, which for a while was also the great lion in our path, there is acknowledgement by supreme law that the people were right in one at least of their objections to Jay's treaty; for even Washington himself, like the gallant Decatur, always stood by his country, right or wrong. Ellsworth is understood to have been largely instrumental in framing the original judiciary acts (one of which smacks a little of Connecticut) and other primeval laws of our present Government. He was a calm but powerful debater in Congress, remarkable abroad for unadulterated 'Americanism', and on

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the bench a most inflexible chief. He instructed a jury that the English common law is the common law of the United States. An error almost venial when English ascendency was universal in this country, and with lawyers especially omnipotent. Even one of the present judges of the Supreme Court has betrayed a strong hankering after that flesh-pot of Egypt, and been mainly instrumental in fixing the odor of its sanctity by legal fiction on the good Creoles of Louisiana, who regard the English common law with more aversion than that learned judge can the blue laws of New England.

In those 'good old times' when the Supreme Court sat under the régime of the English Common Law, instead of mean black sophomore gowns, (last and sorry remnant—the mere administration *de bonis non*—of the judicial robe!) the judges were dressed in stately scarlet and ermine. Revolutionary madness had indeed, even then, inflicted on those learned heads a deplorable privation, and on the commonwealth the fearful innovation—

> All other evils but disturb a State,
> But innovation is the blow of fate—

of stripping them of the judicial wig, that best and most authentic absurdity of form, to quote Burke once more! Till then, venerable magistrates were not entirely bareheaded, like an excellent judge, Brockholst Livingston, whose finely shaped head was almost entirely bald. Powder, however, when flour and tallow were cheap, was still in vogue. The bar, although unfrocked, appeared always in *banc*, in full suit of black, with variegated queues, tight small clothes, buckles and ruffles. The 'lean and slippered pantaloon' was not then *in esse*, as Shakespeare imagined it *in posse*. If we are not mistaken, Mr. Taney is the first Chief Justice of these United States, who ever so far departed from precedent, (most portentously, we submit,) as *to give judgment in trowsers!* The spirit of modern *sans-culotte*-ism had not then overthrown all the good old landmarks and dignified fashions; a round hat was altogether extra-judicial; and a judge in a hat, not only round but *white*, would have been guilty of an offence more effectually punishable, than any misdemeanour in office is by *impeachment;* and lawyers in whiskers, or boots and black stocks, would have been committed till well purged of such outrageous contempts of court. Judges were not then drawn, like money from the Treasury, by specific appropriation to particular circuits; but, by a system of exchanges *at par*, each judge in turn perambulated the whole United States. Judge Cushing always travelled in an open phaeton and pair, and was of course many weeks industriously driving, without *per diem*, from Boston to Savannah. Judge Wilson rode the circuits in his dashing coach and four, with out-riders. At a later period, Judge Todd, the first trans-Alleghanian member of the Supreme Court, performed three thousand miles of his duty, per annum, on horseback. We may add, (in parenthesis,)

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that then, before innovation by steam, on boat and car, had annihilated the American magnificence of distance, and *lent* congressional magnificence to distant *per-diems*, we have seen in this metropolis a young lady, daughter of a Senator, who rode on horseback, (and without *per diem*,) all the way from Chilicothe to Washington; nay more, a matron, wife of another Senator, who not only rode on horseback, but often *camped out* in the Indian country, during the journey from New Orleans, and nothing the worse for the wear and tear. Such historical reminiscences may be thrown in to admonish modern degeneracy of its decline from, not only the days 'that tried men's souls,' but even from those of later date, when ladies were often exercised far more severely than their lords could now endure, by that talent which the Fairy Queen mentions as marking the difference between base and noble blood,—

> In brave pursuit of honorable deed,
> There is I know not what great difference
> Between the vulgar and the noble breed,
> Which unto things of valorous pretence,
> Seems to be born by native influence:
> But chiefly skill to ride, seems a science,
> Proper for gentle blood.

Judge Paterson, a small man, of rather insignificant appearance, and unassuming address, was remarkable for the dignity of his deportment on the bench. In a tavern, among lawyers, suitors, witnesses, *et id genus omne*, he was but one of the rest—but no sooner was the Court opened, and all cleared for action, than they who but a little while before supposed him one of themselves, found, sometimes to their cost, that he was not the man they had taken him for, but every inch a judge. He was the first judge to broach eloquent and excellent anathemas on retroactive and unjust legislation; in which, however, he has not been seconded by his brother judges; for his elaborate argument in the first judicial condemnation of a law as unconstitutional, pronounced in the year 1795, far from receiving sanction by the Supreme Court, has been suffered to 'waste its sweetness on the desert air' of the Wyoming settlement, like much of the admiralty and maritime law since uttered *in Eyre* on the first circuit, and some of the western districts, budding and blooming with great beauty, through the cultivated parterre of many pages, but dying without fruit. Judge Chase, we believe, was never till the day of his death, seen in Court without a three cornered hat and a profusion of ruffles. He was in the habit of telling the New England bar, that their appeals from one jury to another, for the trial of facts, made every case a rubber; so that the winning party must gain two out of three games, or he lost the stake.

Judge Washington, in 1798, succeeded Judge Wilson, with whom he had studied law. He was of rather small stature, negligent of dress, deprived of the sight of one eye by severe study, and addicted to the

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immoderate use of tobacco, in all its *trinoda necessitas.* Like his peerless uncle, he had the uncommon faculty of holding his judgment perfectly in abeyance, till he heard all that could be said pro and con, and then forming it with inflexible firmness. No man ever feared responsibility less, in what he thought right, than this upright Judge—none could be more imperturbable, impenetrable, silent, patient and abstracted, during an argument, until it was his cue to speak; it was impossible to foretell what his opinion would be; but when he charged a jury, no judge could be more explicit or authoritative. He was inimitable in condensing and *clarifying* a subject, so as to drive his judgment home in the convictions of others. Perfect impartiality, great decision, magnanimous candour, and capacity for labor, strongly characterized him. He was known to sit sixteen successive hours without leaving the bench; and on the trial of General Bright, for defending Mrs. Sergeant's house with a military guard, by order of the Governor of Pennsylvania, against the Marshal of the United States, in the Olmstead case, Judge Washington evinced as much unaffected courage and self-possession, as General Washington did in his best fought battles. Judge Washington's worthy associate, on that circuit, for more than thirty years, was Judge Peters; a man of infinite humor, great mother wit, and one of the fathers of admiralty law in America. Judge Washington was a strict disciplinarian, adhering with rigid precision to rules and doctrines. His associate on the contrary, (although Secretary of War in the Revolution,) was habitually inclined to lenity, and even laxity; so that he would say, "my brother is the *strict* Judge—I am only the *district* Judge." It was a curious circumstance, that while Judges Washington and Peters were trying a suit, in which the King of Spain was plaintiff, and his minister, Don Onis, obliged to waive diplomatic etiquette, and give testimony on the question, whether Ferdinand the Seventh, or Joseph Bonaparte was King, the judges were in the habit of sometimes meeting the latter, then lately arrived in this country, at entertainments to which they were invited.

This personality may enliven and even explain the dry record by some glimpses of its framers; and we will not resume the main argument without a few more portraits episodical of the most conspicuous actors on this high forensic theatre.

Early in the elder Adams' administration, John Marshall was elected to Congress; and, after a brief but distinguished service there, translated to a special embassy, and the Department of State; from which, when Jefferson was elected, but not yet inaugurated, he was promoted to the high—there is no higher—office of Chief Justice of the Supreme Court of the United States, which he filled with uninterrupted *sway* for thirty-four years. During that period Kenyon, Ellenborough, Tenterden and Denman, four Chief Justices followed each other in the English King's-Bench; four successive

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Chancellors, Eldon, Erskine, Lyndhurst and Brougham, occupied the woolsack; and hosts of other Judges rose and fell throughout the wide realms of English and American jurisprudence. In this long tract of time, one third of a century, while numerous Judges were passing over the law's disk, one superior luminary, not culminating till meridian age had matured his powers, was perpetually radiating the light of his powerful mind and peculiar temper upon the virgin soil of the uncultivated law of a new country. When Erskine, the greatest *advocate* that ever lived, took leave of the bar, on his appointment as Chancellor, he boasted that in seven-and-twenty years, he had never been kept from court by indisposition. Marshall never boasted; but it is a memorable fact, that for thirty-three years, he was scarcely ever absent from the bench, from any cause whatever; but almost always at his post, with wonderful capacity of body and mind; which happy conformation is itself no small talent. Boyish buoyancy of spirits, simple and almost rustic *bonhommie* of manner, a tall muscular and robust frame, playful, convivial and kind, delighting in a hearty laugh, as much as in a deep constitutional discussion, never perplexed by difficulties of judgment, which terrified bookworms exhausted learning to unravel, Marshall *studied* during a long walk at the dawn of some bitter cold day. When more than seventy-five years old, he still relished with undiminished zest the pleasures of the table or the club; and his right hand to the last never forgot its cunning at quoits and billiards. The *physique* of such a man was a a guaranty of the felicity of his *morale*. *Captain Jack* Marshall walking ten long miles to drill a company of militia, and after a fatiguing drill, ten miles home again, with a buck's-tail in his hat, and the *old Chief* ringing the hob at quoits, and being rewarded for it by exaltation to the shoulders of some stout companions, with boisterous meriment, in which he was as free and loud as any one, are *characteristics*, which elaborate eulogists of a great Chief Justice seem afraid to allude to; but which we delight to bring forward, with other native realities—the *constitutional* basis of natural and solid worth—more truly indicative of the man than more celebrated performances. With a body of Mohawk make and vigor, spirit of perpetual elasticity and masculine understanding, he united that *genius* for logical argument and illustration, which in the Assembly and Conventions of Virginia, in Congress, and as Chief Justice of the United States, always placed him in the front rank of advocates, statesmen and magistrates, and left his impression on the age in which he lived. Perhaps he was even greater at the bar and in Congress, than on the bench. His speech in the case of Nash and Robbins is a *monument*.

Ten years after the advent of Chief Justice Marshall, the deaths of Judges Cushing and Chase called on the President, Madison, to supply their places. Judge Duvall, then First Comptroller of the

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Treasury, throughout long life an honest man and faithful magistrate—who crowned his work by the rare merit of resignation—was appointed to succeed Chase. But it proved a difficult matter to find a successor to Cushing. He *must* be from New England, and he *should* be of the right politics. The appointment was first bestowed on Mr. Quincy Adams, who had been residing sometime as Minister at St. Petersburgh, when the vacancy occurred in the Supreme Court. Mr. Adams' particular friends having solicited the President to transfer him to some other mission, as the expenses of that of Russia were said to require the relief of another outfit, Mr. Madison, thinking that Mr. Adams would prefer a place on the bench, nominated him to the place of Cushing; and, we believe, his nomination as such was ratified in Senate. But when made known to him, having the Presidency in view, he declined it; and it was necessary to cast about for another incumbent. After no little difficulty and hesitation, the choice at last fell on a very young man, Joseph Story, of Salem, who had been, for part of one session, in Congress, and was speaker of that host in itself, the innumerable and then democratic House of Representatives of Massachusetts, (whose modern successors lately outvoted Governor Everett's veto on the great and trying point of fifty cents additional per diem;) for Mr. Speaker Story would never have been Mr. Justice Story but for his well ascertained, as was then thought, root-and-branch democracy. Judge Story accordingly took his seat not long before the war of 1812, in the court of which, from the start, he has been a leading member. Learned, indefatigable and enthusiastic, no man living has contributed more to the literature of the law, and no member of the Supreme Court has, for twenty-five years, left his impression more distinctly on the proceedings of that court,—not to mention his numerous elaborate adjudications on a prolific circuit, many of which stand unappealed from. His works have wrought the miracle of converting English and European contempt, into admiration of American law-learning. The practice of courts, admiralty, revenue, prize and common law, equity, the lesser law of nations, as well as international law, constitutional law, in short, almost all the departments of jurisprudence have been cultivated by Judge Story with most praiseworthy labor and flattering success. As professor and lecturer at Cambridge, as the deliverer of occasional public addresses, even as the author of a volume of poetry, and of extensive commentaries on the Constitution, his industry and learning are conspicuous.

Soon after his accession came war, *bellum*, as Lucan truly has it, *multis utile*. Franklin, whose treaty of Versailles is a nobler *conquest*, than even the victory of Saratoga which led to it, endeavoured to liberalize war and mitigate its ruffian code by some christian mellowing. Monroe afterwards attempted the same melioration, and Madison had it much at heart; and although they did not succeed,

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yet, surely, this is the country whose greatest interest it is, and whose truest glory it would be, to soften the rigors and abridge the atrocities of that infernal suspension of all justice, mercy and reason—martial law. The Supreme Court were of a different opinion. Not a cunning device or harsh test of British prize law, but, by its eager adjudications, were ground into the law of this country. Pinckney, freshly descended, as it were, from the high lineage of London—the greatest if not the only American master of that law, as adulterated by Scott's captivating sophistry—in all the sensation of his much favored descent from abroad, upon the Supreme Court—*novus hospes*, as he would say—with astonishing power of rhetoric, beauty of diction, and compass of learning, wit, sarcasm and overbearing fascination—*taught* the judges prize law, and found willing pupils in most of them. It was one of his side-bar, saucy speeches, that the Chief Justice had a marvellous incapacity for admiralty law. For Marshall's kindly nature revolted at the barbarous axioms of a bloody code, which he had never studied, and could not be reconciled to. In vain did he, and one other judge well versed in it, protest against its American naturalization. The other judge was that humane and accomplished gentleman, Brockholst Livingston, the best informed marine lawyer of the court, and for that reason most averse to it. In spite of all, however, English prize law became our law, *prescribed by a superior*, as Blackstone defines law, and it is, and we presume must now ever be our law. The colonial rule of '56, against which this country almost took up arms, the reverse of that excellent law of nations, that free ships make free goods—the most inhuman and anti-American of the English doctrines of domicile, migration, commercial and national intercourse, in contradiction to which all our institutions are founded, and the very war itself was declared—the hardest English regulations of search, seizure, capture, and almost torture, by standing interrogatories, violative of the cardinal principles of our system of evidence—nay, we incline to think that even the enormities of paper blockade, all—we believe we tell truth when writing all—the monstrous inflictions of that odious perversion of justice, which immolates the blessed rights of pre-existing peace on the diabolical shrine of supervening war, yes, all are now the adjudged law of our America; all let loose—

> To do offence and scathe in Christendom;

—not forgetting the fiery tail of costs and charges, admiralty droits, commissions, fees and extortionate taxation—

> Hinc usura vorax, rapidumque in tempore fœnus,
> Hinc concussa fides, et multis utile bellum.

All this is the law of a land of peace, freedom and economy, by recorded and irretrievable judgments of the Supreme Court of the

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United States, couched in grandiloquent language, of which the taste is as false as the law and the logic. The most felonious of grand larcenies is that vulture freebooting, which is, by a worse piracy than that of Algiers, is licensed to pounce on unsuspecting wayfarers by sea, rifle their papers and baggage, pinion and imprison their persons, and send them bound hand and foot to the cruel mercy of hostile courts, whose vulpine craving for condemnations is fomented by land pirates more ravenous for prey than even the spoilers who vex the caverns of the great deep in quest of it. It is much to be regretted, that so great a passion for prizes, the charming novelty of prize law, and the step-mother influence of the nation against whom we were at war, fascinated and seduced a court composed of statesmen, and contaminated our mild code with the feudal ferocities of sea-chivalry. I feel strong, said Montesquieu, when the Romans are with me; as Chancellor Kent hugs the idea that American judges ought to feel strong when they have English authorities on their side. But English prize law is not the law of nations, much less fit for America. Its chains were fabricated by a country *toto orbe divisos*, whose insular policy, as settled by the dictator Chatham, with a preponderant war-marine, and sea-girt security, *was* (for even Great Britain is sick of it) to carry on hostilities with one arm, while trading with the other. Whereas, this country with no such position or policy, and the destiny of neutrality and peace, was infatuated when it forged such rules, to be visited upon ourselves by every petty sovereignty involved in war. Ask any one of our diplomatic agents in any part of South America, and he will say that the greatest difficulty our commerce has to contend with in that hemisphere is—the law of this country, as perpetually brought to bear upon it by the agents of all other nations. We are, then, reduced back to our colonial condition, by the law of our own courts, in matters of prize, revenue and foreign intercourse generally. The governments estop us with our own decrees. The very ships of other nations open this broadside upon us in every misunderstanding. And it is the deplorable, too often desperate duty of our own officers, civil and military, to contend in vain against our own most short-sighted adoption of the worst, least legitimate, and often superannuated European, especially English, dogmas of pseudo jurisprudence.

This, however, is not the worst of our disgraceful dilemma. The *tendency* of all Christendom is to liberal and benignant foreign relations. Continental Europe is, and was then, all alive to the rallying cry of maritime melioration and the liberty of the seas. We were the first nation to display that standard, and are the elder of all nations that bear it, at the head of a hemisphere where kings and wars cannot be perpetuated. It was a glorious occasion, therefore, for the Supreme Court to establish an American law of nations.

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It had a moral force at command stronger, cheaper, and more irresistible than armies and navies, with banners and broadsides. It might have formed a character for itself, the perfection of that ascribed to it by Marbois, and a power for the country which the combined navies of the world could neither give nor take away. But, instead of this, it fell behind in the miry ruts of the car of conquest; and, as we shall presently show, the effect of this irreparable retrograde is felt not alone in maritime law, but extended its baneful influence to the higher regions of constitutional law. The blast of war, which stiffened the sinews of the court for conflict with foreign enemies, seems to have inflamed their lust of dominion for subjugating the States of our own confederacy. Its worst consequence was not confined to the high seas, but felt at home; and the regret we express for the first result is far less than every true American should feel for the latter.

The first cycle of American nationality was rounded off before the Supreme Court pronounced any *formidable* judgment on constitutional law, save that which, by the large majority of, however, a divided bench, asserted the suability of States. Maryland was first brought to the bar. Soon afterwards the Marshal of Georgia, Robert Forsyth, father of the present Secretary of State, (who lost his life in serving process,) having cited that State by a writ served on the Governor and Attorney General, she sent her protest and submitted it, but without an appearance against the jurisdiction. That *transcendant contrivance* as Wilson styled a State, was overcome, however, by the argument, that the people of the United States form a NATION, on which *radical* question this *great* cause turned, —these are Judge Wilson's words, italics and capitals. This judgment was given in 1793; but in 1796 an amendment to the Constitution put an end to its alarming consequences. With this single exception, the Federal Judiciary at first was forbearing of jurisdiction, and over persons particularly so. The terms citizen and alien were so literally construed as to exclude cognizance which was perhaps fairly granted by act of Congress. In respect to the citizenship of corporators, and of the inhabitants of Districts also, as well as in some other respects, the early adjudications were so abstemious and punctilious, as to cause subsequent judges to regret the timid prudery of their predecessors. The attempt upon the law of Connecticut, which ended as before stated in 1798, is the only other solemn and heralded war upon the States, during the first seventeen years of the present government; for the single-handed incursion of Judge Paterson, on his circuit in 1795, gallant and eloquent as was that demonstration, was never supported by the main body. The Supreme Court far from sustaining that praiseworthy and constitutional attack on retroactive and unjust legislation, left it to its solitary fate, and have gravely resolved that laws may be retrospec-

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tive, unjust and despotic, *ad libitum—ad deliquium—ad nauseam*; yet are they valid, unless *ex post facto*, (meaning *criminal* law only,) or unless impairing *inexplicable* obligation of *incomprehensible* contract. Paterson's law is left all alone in its glory, doomed to die, like Gertrude of Wyoming, deserted in a lone valley, reduced to mere blank verse, more evanescent than Campbell's poetry, of which a line runs thus appropriately:

But short that contemplation, sad and short.

Honest John Taylor of Caroline, and all the Macon school, (whose much ridiculed frugality of centralism is becoming every day much more acceptable than judicial ultraism, that school deny the constitutional right of the Federal Judiciary to review at all a State law or judgment; and, surely, Federal judgments reversing laws ought to be at least consistent with the first principles of unquestionable justice. Jay, Wilson, Blair, Thos. Johnson, Iredell, Ellsworth, Paterson, all that primitive category passed away; the Georgia case was reversed by constitutional amendment; the Connecticut case was innocent of the crime of striking down a sovereign State; and the Pennsylvania circuit case ended, as we have seen, in smoke among the coal mines of the Wyoming valley. The administration of Washington and John Adams had closed, and that of Jefferson was in full tide of successful experiment, before the States had occasion to be alarmed for their sovereignty, or the people for the constitutional distribution of the powers of government. This long period (seventeen years) of abstinence from the exercise of the formidable powers of jurisdiction since assumed, is no small proof of what the law was supposed to be by its first interpreters, the men who lived nearest to its constitutional source, and may be presumed to have best understood the character and direction which its authors had designed to give it. Abuse of the judicial veto began in after times, with the ascendency of the late eminent Chief Justice, to whose honored memory we are far from designing any disrespect, when we canvass freely the consequences of that decided federal tone of political principles with which, unfortunately, his great mind was too deeply imbued.

In 1806 the Supreme Court, grown wiser in its generation than its predecessors, for the first time broke a law, in the well known Yazoo affair. Pressed as we are for space, intending on a future occasion to analyse the power of courts of justice to repeal whatever laws they may deem contracts, we shall not at present essay much more than an historical outline, as preliminary to the more particular examination of the class of cases following in the footsteps of that giant judgment. Let it suffice now to say that it was given by but three of the six judges—William Johnson not concurring, and predicting the disastrous consequences that have ensued—Cushing and Chase both absent. After that adjudication, the temple of Janus was closed; and

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reposing on the laurels of the conquest of Georgia,—whose hard lot it has been to be so often overrun—the Supreme Court fell back, and contented itself with the exercise of its former accustomed functions of adjudicating questions of simple *meum* and *tuum*, for six years of truce. The law abrogated was so like an *individual* contract for SPECIFIC grant of *real estate*, that we believe the country acquiesced in that first of the series of similar judgments; nor are we to be understood as gainsaying any case exactly like it. The power and duty of the Supreme Court to interdict State laws, impairing the obligation of contracts, or of a clear *ex post facto* character, as the Constitution of the United States gives such power, and enjoins the duty, are the doctrine of Mr. Madison, and all his school. We do not design here to deny the power, but deal only with what we denounce as its abuse. But readers disposed to read its denial, with great ability and excellent temper, are referred to the Views of honest John Taylor of Caroline—an original, and most able, argument, which denies altogether the right of Congress to give the Federal judiciary revision of either State laws or State adjudications. We will not here question the power; but cannot concede it, at all, without protesting against the doctrine that the judiciary is the *sole* and *exclusive* judge of constitutional difficulties. Since the first exercise of this power, however, the Court themselves have confessed the obvious impropriety of fulminating these anathemas, without, at any rate, the concurring opinions of a larger number of the judicial hierarchy. That, and the next similar case, Fairfax's, were neither of them judgments of even a majority of the court.

In 1812, a law of New Jersey, *taxing* land which *before the revolution* was granted to Indians free of taxation, was unceremoniously repealed by the Supreme Court, without argument at the bar, or reason by the court, further than summarily to rule that this case falls under the principle settled in that of Georgia six years before.

The judgment in the case of Fairfax was pronounced in 1813, in the absence of Chief Justice Marshall and Judge Washington, by Judge Story,—William Johnson dissenting,—RASHLY, therefore, (whether right or wrong) reversing a decree of the highest court of Virginia, without the presence of the two judges from that State. It resulted, as was to be expected, in an angry controversy between the Court and the State of Virginia; which brought the case again before the Supreme Court of the United States in 1816, when Judge Story once more, as the organ of the Court, then all present, but Johnson strenuously dissenting—in a peremptory and profuse argument of forty pages—commanded execution.

In 1815, Virginia State laws, repealing colonial laws concerning church glebes, were declared void by a judgment pronounced by Judge Story, as the opinion, he says, of a majority of the court; who that majority was, does not appear; but as Johnson and Todd

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were absent, it is certain that it must have been a bare majority; at which can there be any wonder, when we find this growing power already applied to annihilate a State law reforming a *colonial* law concerning church property! During the same session, in another opinion of the court delivered by Mr. Justice Story, also concerning church lands, disputed by the town of Paulett in Vermont, a State grant of such lands was declared to be irrepealable.

Thus stood the supreme law as made by judgments breaking laws of Georgia, Virginia, New Jersey, and Vermont, and so far it might perhaps be yet tolerated, if the evil had proceeded no further.

But now commences that series of high-handed judicial usurpations, which have ultimately rectified themselves by the very impracticable confusion into which the whole law of the land was thrown by them—leading to results even more to be deplored than in the case of the American naturalization of English prize law, which has been already noticed and condemned.

Next in order, then, comes the famous Dartmouth College case. If we have called the Georgia case a giant judgment, this may be styled a very Cyclops of jurisprudence—*monstrum horrendum, informe, ingens, cui lumen ademtum.*

Again we acknowledge that the community once more submitted, though it did not acquiesce, while too many of the profession were delighted with a triumph which gave them the mastery of all the States, and *repealed the Revolution.* It is the usual bigotry of lawyers, Mr. Hallam ventures to assert in his Constitutional History, to defend every pretension or abuse to which their received standard of authority gives a sanction; and it is part of our Declaration of Independence, that all experience hath shown that mankind are more disposed to suffer while evils are yet sufferable, than to right themselves by abolishing the forms to which they are accustomed.

A large part of the community never have, and never will, yield to the authority of that disastrous judgment, which has done so much to embolden mercenary men to unhinge the Constitution whenever a corporate privilege conflicts with sovereign legislation, or post-revolution right attempts to rectify ante-revolution wrong. Argument against it, on its principles, is now rendered unnecessary by the practical demonstration of its immediate results. The kindred cases in the same volume of Wheaton's Reports, comprising the whole conspiracy of such radical reversals of the Constitution and the Revolution, soon worked out in confusion their own refutation. We need not, therefore, now analyse the English authorities paraded as precedents for the Dartmouth College decision; but ask of the reader to collate that case with those in which laws of New York and Louisiana, respectively, were vacated by judgments of the same court at the same sessions; and then to reconcile the whole, *if he can*, with the consummation of the doctrine in 1827 in Ogden's case,

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that crowning result of judicial darkness visible—that total eclipse of the light of law. We defy ancient or modern learning to produce one hundred and fifty pages of more recondite and irreconcilable contradiction, *obscuris vera involvens*, than the judgment in that case. There is not a judge in America who knows how to rule by it; not a lawyer who can advise clients to suit it. What is a contract? Who knows?—What is an obligation? Who can tell?—What laws are *ex post facto?* How shall we learn?—What is right, and what remedy? Can any one say?—Let those who doubt turn to the case of Zacharie in the sixth volume of Mr. Peters' Reports, and there read Chief Justice Marshall's confession that the *minority* of the judges, who concurred in the opinion of Mr. Justice Johnson in Ogden's case, *settled the law of the court* no longer *open for controversy!* After five years of *interregnum*, without any law at all, the Chief Justice was constrained to explain that the minority of the court, headed by Judge Johnson, who, from 1806 to the last, protested against making contracts of laws, and foretold the consequences—that the minority, thus headed, gives the law of the land! Is this the law—the supreme law—by which State judges, statesmen, States, and the people are to be convinced and satisfied as well as governed? Certainly not. The Supreme Court themselves virtually and actually *reverse* their own judgments; and it is the duty, as it is fortunately the easy office, of the present court, who are perfectly free, to make and act upon their own interpretation of the Constitution. They have no other alternative. The old court, but not the first, put the judiciary on a construction that would not work, would not go at all. The machine was then tinkered to no purpose. It was obviously out of joint, on the high-pressure principle: and the constructors were obliged to acknowledge it.

This is our present argument against the Dartmouth College case and all its legal affiliations. *Impracticable* construction was put by them on the Constitution, making *every* law a contract, before the Revolution or since, public or private, as *any* judge might choose. It is futile and arbitrary to attempt to save limitation laws, marriages, divorces, salaries, or any other contracts, from this all grasping construction, which leaves *all* enactment to the discretion of *every* judge. The same judges who arrogate this despotic discretion, show by their own predicament, in the practical working of their wisdom, that discretion is a most uncertain standard for constructive authority. The United States are now without law as to one of the most important conservative interdicts of their great charter: reduced to this condition by no popular misrule, no executive or legislative misconduct, but by their higher judiciary, in the construction of a plain phrase conferring indispensable power. As the law now stands, State legislation may perpetrate any outrage that party phrenzy or personal corruption shall incite, provided it does not im-

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pair the obligation of a contract, while what either contract or obligation means, learned judges, one and all, are unable to inform the people. They have left us in this respect no government—not even their own. Nothing could be worse than their rule, except their own exceptions to it. Applying technical meaning to national compact, with both over-precision and over-latitude—turning politics into law, and *all* laws into *private* contracts—such *nisi prius* manipulation of a constitution inevitably brought on confusion. One of the greatest of the late Chief Justice's undoubtedly great merits was, that he was not overlearned in the law: nor was it till a young and emulous judge came from the East, laden with law authorities, fresh from Great Britain, that construction ran riot with

"Conclusion, retrograde, and mad mistake."

Did not Mansfield once say that he would not take the law from *Keble* or *Siderfin?* By authorities, for aught we know, it may be shown that the Dartmouth College Cyclops is not deprived of its only eye by subsequent adjudication. But to plain folks, who regard things more than words, and principles more than precedents, that half-blind monster has been put *hors de combat* by the very champions who brought him forward. The superfœtation which, it appears by Wheaton's Reports, was held up in *grœmio legis* during a most unnatural gestation, and at last delivered in 1827 by the Cæsarean operation, piecemeal, not only *seriatim*, but *summa ope*, with the assistance of a multitude of counsellors, Messieurs Wheaton, Webster, Wirt, Livingston, Clay, Jones, Sampson, and Haines, *settled* the long agony. Ogden's case marks an epoch in our constitutional and judicial history. Painfully convinced that their constructive bow had been shot with vigor beyond the law, the Supreme Court, *de guerre lasse*, made a halt; and soon afterwards began retreat and atonement.

During the first seventeen years there was but one judicial demolition of State sovereignty. During the second age they were so numerous that every session was signalized by them. During a third epoch a counter current set in—until at last, as we trust, there is an end of all such experiments. For our authority as to the contrariety of sentiment, and the colonial adoption of English authority, so deplorably misapplied to American constitutional doctrine, we vouch Judge Baldwin's late publication, which goes far beyond our power of proof and strength of assertion. This review is less professional, and perhaps more poetical, than his protest: but that abounds with the poetry of strong feeling roused to strenuous exertion by dangerous encroachment; and its research into American authorities may well vie with the hosts of such as are brought upon us from abroad.

Next session, 1828, Judge Washington, who sided with the con-

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quering minority, led by Judge Johnson, against the Chief Justice's division, gave the Court's opinion in Satterlee's case, devastating all Paterson's law in the valley of Wyoming; and determining, not only that retroactive legislation is constitutional, but that it may divest vested rights, and even adjudicate individual controversies with impunity. The reader will find in the second volume of Mr. Peters' Reports, page 412, the new *principles* that overthrow their forerunners, detrimental atonement for foregone error. Let all candid men say whether the Supreme Court's supreme law, is what the forecast of the Constitution anticipated, either as to the thus unbridled license of States to perpetrate retroactive laws, and the impotence of the judiciary to prevent such injustice, on the one hand; or the palsy of States to enact any laws, no matter what, which, by equally unbridled license of courts, they may arbitrarily resolve into something impairing contracts, on the other hand. State laws are contracts whenever the Federal judiciary say so; yet State laws, however retrospective, *ex post facto*, unjust, odious, judicial, individual, and abominable, are beyond constitutional control, because no retroactive State laws are prohibited but only such as merely punish; States are chartered libertines for mischievous laws, and courts for mischievous construction; but both States and courts are impotent for any good. To this condition we were never reduced by the Federal Constitution, but by judicial legislation and ambitious construction. Politics are not like law, reducible to consistent certainty; and the great error of the judiciary has been, in trying to adjudicate what is insusceptible of adjudication. The consequence is confusion. Either of the other departments of Government, or even a popular assembly, is a better forum for political law, than courts of justice. Contracts and *ex post facto* laws, as contemplated by the Constitution, are obvious enough. But by giving technical meaning to the term contract, no meaning to the term obligation, and false meaning to the term *ex post facto*, the Supreme Court got into a predicament from which extrication became indispensable.

It began, in 1830, in Lampshire's case, when Judge Baldwin, Judge Washington's successor, who knows the meaning of State rights, and knowing dares maintain them, delivered an opinion of the Court, upholding a law of New York, which at any time in the strong reign from 1812 to 1820, would have been cut down remorselessly by simple *fiat et ruat*. In 1833, Nicholson's case was determined, unanimously sanctioning a State law confessedly judicial and individual. Finally, in 1834, Judge Story himself affirmed in Mercer's case, all the confessions of contrition. And at last, in 1835, the Chief Justice gave out the glad tidings, that, the Court not being full, no constitutional cases would be taken up.

Nearly every State of the Union, in turn, had been brought up for sentence, Georgia, New Jersey, Virginia, New Hampshire, Vermont,

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Louisiana, Missouri, Kentucky, Ohio, Pennsylvania, Maryland, New York, Massachusetts, South Carolina, (Delaware just escaped over Black-bird creek,) and perhaps others not within our memory, all passed under the Caudine forks of a subjugation which has more than revived the suability of States; concentrating in its prepotency all the distributed energies of legislative, executive, and judicial government. Beginning with Madison's case, there are near forty of these political fulminations from 1803 to 1834, viz: one in 1806, 1812, and 1813, each session, two in 1815, one in 1816, four in 1819, three in '20, two in '21, two in '23, two in '24, one in '25, four in '27, five in '29, three in 30, two in '32, two in '33, and one in '34; a great fabric of judicial architecture stupendous as the pyramids of Egypt, and as inexplicable. The cry of Executive usurpation is shouted to rouse resistance almost to violence against the merely suspensive Veto of one 'tyrant,' strictly accountable every four years to a sovereign people, while the absolute veto of seven, no one of whom is, or can be, brought to the judgment of the ballot-box, is fortified with more than Tribunitian sanctity and might.

No such formidable power is known to any representative government as the American republican irresponsible judicial veto; a power to dismiss laws, as the President may dismiss officers, without question. The taxing power, the currency, and impost, the process power, municipal police, the militia power, commerce and intercourse at home as well as abroad, the purse and the sword, church and state, all power in fine, is to be concentrated in the judicial focus. Having noticed some, it is hardly necessary to swell this review, with even short references to the whole catalogue of judicial vetoes. Besides those mentioned, there might be added the two in 1817 and in 1824, when the States of Maryland and Ohio, were reduced to mere corporations, subordinate to the corporation of the Bank of the United States; a third in 1829, when the city of Charleston was forbid by the Supreme Court to tax by ordinance the loans of the United States; and a fourth, when the city of Baltimore was, in like manner, prohibited from taxing imported merchandise. To the cases on insolvent laws, might be added those of Pennsylvania, abrogated in 1821, and Rhode Island; to those on police regulation, the law of Virginia against those nuisances, foreign lotteries, unhesitatingly vacated, the present Judge Barbour, then at the bar, protesting for the State, but in vain.

In 1822, the process law of Kentucky was whistled down the wind by one of those unannealed judgments, pronounced without hearing (we will not say without taking) counsel, so doubtful, that Mr. Clay, as *amicus curiæ*, and truly such, solicited another hearing. In 1824, Fulton's privilege for steamboat navigation on the waters of New York was destroyed, as is well known, Judge Johnson alone dissenting. In 1832, the Empire State was compelled, after protest, to

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appear and answer the complaint of New Jersey, although there is no legislation to regulate this constitutional power. That session, Georgia was once more vexed in a most irritating quarrel with her Indian inmates, the Cherokees—Judges Johnson and Baldwin stoutly dissentient against a minatory opinion, which rather brandished than hurled the veto; but next session the lightning went with the thunder, striking a sovereign State lifeless, at the feet of a savage tribe adjudged a nation, as several States had been before paralyzed at the footstool of a banking corporation. The two Missouri cases, of 1830 and 1834, are the last we shall notice in this formidable list; in the first of which, after an earnest protest by a distinguished Senator, the bitter pill of judgment was gilded by saying:

"In the argument we have been admonished, by one side, of the dignity of a sovereign State, of the humiliation of her submitting herself to this tribunal; of the dangers that may result from inflicting a wound on that dignity; by the other, of the still superior dignity of the people of the United States, who have spoken their will in terms which we cannot misunderstand. To these admonitions, we can only answer, that this department can only listen to the mandates of law, and tread only in that path which is marked out by duty."

Yet although three of the judges read the 'mandate' differently from the Chief Justice, and trod a 'path of duty' different from that he marked out, the judgment in the second Missouri case, is a simple *fiat* on the bare authority of the first, adjudged by a bare majority of the divided court. Dissension on the bench, ill-will of the States, and discontent of the people, must be the bitter fruits of such administration of the law and justice. American pride is humbled, to compare the solid brevity of English adjudications with the prolixity of inordinate political disquisitions, begetting angry misunderstanding, in our Supreme Court. The Vicar of Wakefield might call many a one of our judicial arguments a treatise on matters and things in general. In the six hundred and fifty pages of the eleventh volume of Mr. Peters' reports, there are only about twenty cases, mainly owing to political diversities of opinion. In the Dartmouth College volume of Wheaton's reports, there are some thirty cases, expatiating over seven hundred and fifty pages—of which no less than four hundred pages and more are consumed with political speculations, in three cases. Habits of amplifying conflicting opinions and jurisdiction grow on judges who indulge them. In all the Georgia cases, Yazoo and Cherokee, in the Missouri cases, the bank cases, the militia case, the lottery case, the steamboat case, the police cases and the insolvent cases above all, political disquisition inevitably brought on contradiction, gradually exacerbated to habits of dissension—*malum extremum discordia*—which like opium-eating, increased till debility, discredit and prostration ensued, when the majority became a minority, and the minority gave the law.

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Dissension has done its mischief in a remarkable manner. Judge Johnson disagreed from most of the over-wrought judgments. Judge Baldwin has been also a frequent dissentient. Except Chief Justice Marshall, every other judge on the bench has recorded his disagreement to some of the constitutional doctrines adjudged by the court,—in the Baltimore case, Judge Thompson; in the Rhode Island insolvent case, Judge Washington; in the Dartmouth College case, Judge Duvall; in the Charleston case, Judges Johnson and Thompson; in the militia case, Judge Story; and in several of the latter cases, Judge McLean. In the very first case, that of the suability of a State, Iredell dissented. From first to last, politics have produced division of the court, so that not one of the judgments annulling State laws has been clear enough to carry unanimity, without which such judgments should never be made. How can we forbear adding, that even the purity of such administration is brought into question, when lawyers of one political party generally appear as the advocates of high-toned decisions pronounced by the judges of the same party; thus tarnishing with suspicion of party and personal partiality what ought to be above all suspicion. The stimulating effect of these deplorable judgments, in emboldening the bar continually to question the constitutionality of whatever State laws it may be the interest of clients to dispute, is but too palpable. It has rendered this American peerage, like the British House of Lords, to the manifest detriment of their order—we mean the American bar—unreasonably unpopular.

When the late Chief Justice at his last session, just before his shining light was quenched forever, announced *ex cathedra*, that no constitutional cases would be taken up, the Court not being full, and Goliah's sword, thus wrapped up, was put away in the temple, as we trust for a long rust,—it was a melancholy hour for that potent and dignified bench. A change came over the spirit of its dream. The venerable Deans of the faculty, the old Chief and Judge Duvall, octogenarians, invincibly jocund and boon, might still relish existence; but junior brothers now opened their cards of invitation, at the opening of the court, with listless indifference; the crowded sofas were no longer garnished with feather-headed beauty, assembled to listen to eloquent political forensic arguments; nor was the heavy colonnade of background to the tableau darkened by lawyers, with bowels yearning each in his turn to bring up States to devour. The reporter fears his forthcoming volume must be a mere drug; its dry bones marrowless, the unsaleable sorry record of only life, liberty, reputation and property protected. After *two* insupportable hours of dull debate, adjournment becomes as constitutionally necessary for the Court, as a bank, in its judgment, to the Government; and, on motion of a judge who has now read all his newspapers and written all his letters, it is ordered that court be adjourned—to prepare for dinner. But what attraction has ministerial dinner or Presidential drawing-room

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for magistrates, undistinguished by recent political exploit? Instead of that conscious and elevated dignity, by which a judge fresh from the overthrow of a State, vies with a belle who that morning jilted her suitor too, and towers above the herd of Secretaries, Senators and Members, taking his soup with delightful superiority at dinner, and his ice with a glow at night, the unhappy man, dyspeptic and even taciturn, can eat only of one simple dish of each of the six courses at dinner, and after an indigestible day, weary, stale, flat and unprofitable, sinks at night into a corner of the drawing-room, unobserved, till at last, almost sneaking to his hack, he goes to bed, repining that he has done nothing for immortality.

To do them one and all no more than justice, it was but ambition, that universal throb of the American heart, and life-blood of American enterprise, *vitium propius virtuti*, which urged the judges to over-action; and our only object, not detracting from their talents, learning and integrity, is, with becoming deference, to indicate the true and only highway of judicial usefulness and renown. We must, however, charge the whole panel to

> Fling away ambition;
> By that sin fell the angels; how can man then,
> The image of his Maker, hope to win by it?

We have no wish—far from it—to discredit the professors of a science, which, according to its great English commentators, employs in its theory the noblest faculties of the soul, and exerts in its practice the cardinal virtues of the heart; nor to mortify even their *judicial* ambition. There are fifteen thousand of that profession in the United States; many of them liberal, enlightened and patriotic; the infusion of whose sentiments into both the enactment and the administration of American laws is so deep and pervading, that he cannot be an American, who does not desire to see the corps chastened by love of the Constitution, and the true principles of the institutions of our common and glorious country. Brought painfully to the conviction that the judicial department has arrogated political authority, not belonging, and extremely injurious, to it, we desire to see this usurpation laid down, only that its legitimate jurisdiction may be more firm, unquestionable and useful. In the session of 1836, when the Supreme Court of the United States had no Chief Justice *de jure*, (owing to senatorial demur, to which history will do justice,) the senior Associate, Mr. Justice Story, presided, as chief *de facto*; and all to be desired is, that he and his brethren may condescend always to discharge their high duties with the same ability, which during that session distinguished the Court, when States and Constitutions were let alone, but ample fields of jurisdiction spread before it, enough

> To fill the ambition of a *prudent judge*,
> Tho' Chatham's language were his native tongue,
> And Wolfe's great name compatriot with his own,—

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—the admiralty, maritime, commercial, landed, chancery, common law, revenue and other cognizance, which, every session, brings persons, property, life and death, charters, States and foreign suitors without number, to their bar. We ask them, with sincere regard and respect, to ponder this. Whenever a State law unconstitutionally impairing the obligation of a contract, or clearly *ex post facto*, whether civilly or criminally, comes before them, if right to do so, they should not hesitate in its revocation. But we must deplore and deprecate that false vision which descries the mirage of constitutional mountains in every molehill of legislation, while it regards the most dangerous reefs and rocks of *ex post facto* laws with indifference and apathy. We call upon them anxiously, not to rend the married calm and unity of States, but unite dispassionately, as a replenished court, by simple and mild restoration, to open a new era for the judiciary, such as all considerate ministers of law, and patriots of every party, should wish to see perpetuated. The cases of the Kentucky bills of credit, the Massachusetts bridge, and the New York passenger vessels—held up for that constitutional vexation, that had become so common and hurtful to the Court, the Constitution, and the country—were disposed of, in 1837, by judgments which at least nine-tenths of the intelligence of the community will approve. Can the recalcitrant judges in all these cases flatter themselves that the country, or even the profession, will uphold gratuitous, querulous and detrimental divergence? The judgment in the New York case delivered by Mr. Justice Barbour sustains the plainest, the most vital State rights—such as never should be disputed by any judge in the Union, and of which Judge Story's denial is greatly to be regretted. Such arguments, instead of putting an end to litigation, open its very floodgates. They *make* the law, which it is the province of judges only to interpret. Of the Kentucky case, we can testify that, just before he expired, the father of the Constitution, Mr. Madison, among his last aspirations for that charter and the much loved nation it created, declared that its framers contemplated, as bills of credit, such as the Court has adjudged, and not such as Judge Story, and, he says, the late Chief Justice, held them to be, from the mere dry language of the Constitution.

Finally—is it not a reproach to justice that the *piepoudre* litigation of the Charleston bridge affair, should be for several sessions of the Supreme Court the cud chewed for a maw become rabid for such food? That bastard of the Cyclops judgment, spurious offspring of the Dartmouth College dogmas, still-born, and the last of the race! The very rudiments of mere municipal law bloated into a constitutional dropsy, to be tapped by learned doctors! The ferriage of a two-penny bridge, rocked by exaggeration into the passage of another Red Sea! Like the ten-cent revolution at Faneuil Hall—that *ne plus ultra* of the ridiculous sublime—this collegiate

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tempest in a teapot might serve for the lads of the University to moot; but, surely, was unworthy the solemn adjudication attempted for it. Most fervently do we hope that the youth of that and all other American seminaries of learning may be brought up in the nurture and admonition of that patriotism which inculcates independence—that we are a world by ourselves, disdaining the cloistered and cast-away prejudices of the old one! Otherwise our courts of justice are

> Like little wanton boys that swim on bladders,
> This many summers, in a sea of glory,
> But far beyond their depth.

In conversation lately with Mr. Livingston, Lord Durham expressed his amazement at this Ostrogothic halt in our march, falling into the rear of the onward intelligence of Europe, and the spirit of the age, in which we have all the right of seniority. While British good sense, of all parties and professions, is pushing jurisprudence forward, in imitation of ours, there are those among our statesmen and barristers who strain every nerve to carry it back to what they preposterously worship as the ancient shrine. Instead of taking the lead, which belongs to us, they would fall behind and flounder in the mire. Preceptors we might be, but pupils we must be. This lamentable idolatry appears to be a malaria of the sea-board, where every arrival from abroad brings further trammels of colonial servitude. The distinguished advocate of Dartmouth College, a gentleman of superior powers, and Pinkney's legitimate successor, certainly, by this unworthy surrender of American independence, sacrifices his natural right to that high forensic eminence which his talents claim.

From the auspices of the first session of the renovated Supreme Court, we anticipate better things; the restoration of the Constitution; without shocks or reversals, by such quiet, conciliatory and unassailable adjudications as those pronounced in the cases just mentioned. True conservatives, we maintain original and practical authorities, and condemn only such abuses as have sufficiently exposed themselves by their consequences. But may we not without umbrage submit, that reconsideration has become indispensable of that series of judicial enactments by which private contracts, tax laws, church and police regulations, charter and other State rights were engulfed in a whirlpool deeper than ever plummet sounded, from which nothing but a change of pilots could save the vessel?

We are in the midst of a revolution. To be sure we are—when, since the Declaration of Independence have we not been so? Executive, legislative, popular and *judicial* revolution; progress is the necessary condition of American republicanism; but bloodless as yet—and like to be—the *alter et idem* of our peaceable but constant

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agitation. What American would live out of it, or could live without it? Our whole system is a great perpetual experiment.

And with much satisfaction do we see the harmonious operation by which the Supreme Court, the President, as dedicated by his first imperishable message, Congress and the States, and the people of the States, are devoted to the great and glorious cause of reducing government and enlarging freedom as much as possible. May the experiment be constantly but fearlessly carried to the uttermost!

THE FAMILIST'S HYMN.

BY J. G. WHITTIER.

[THE "Pilgrims" of New England, even in their wilderness home, were not exempted from the sectarian contentions which agitated the mother country after the downfal of Charles the First, and of the established Episcopacy. The Quakers, Baptists, and Catholics were banished on pain of death from the Massachusetts Colony. One Samuel Gorton, a bold and eloquent declaimer, after preaching for a time in Boston, against the doctrines of the Puritans, and declaring that their churches were mere human devices, and their sacrament and baptism an abomination, was driven out of the State's jurisdiction, and compelled to seek a residence among the savages. He gathered round him a considerable number of converts, who, like the primitive Christians, shared all things in common. His opinions, however, were so troublesome to the leading clergy of the Colony, that they instigated an attack upon his "Family," by an armed force, who seized upon the principal men in it, and brought them into Massachusetts, where they were sentenced to be kept at hard labor in several towns, (one only in each town,) during the pleasure of the General Court, they being forbidden under severe penalties to utter any of their religious sentiments, except to such ministers as might, labor for their conversion. They were unquestionably sincere in their opinions and, whatever may have been their errors, deserve to be ranked among those who in all ages have suffered for freedom of conscience.]

Father! to thy suffering poor
  Strength and grace and faith impart,
And with thy own love restore
  Comfort to the broken heart!
Oh, the failing ones confirm
  With a holier strength of zeal!—
Give thou not the feeble worm
  Helpless to the spoiler's heel!

Father! for Thy holy sake,
  We are spoiled and hunted thus;
Joyful, for Thy truth we take
  Bonds and burthens unto us:

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Poor, and weak, and robbed of all,
  Weary with our daily task,
That thy truth may never fall,
  Through our weakness, Lord, we ask.

Round our fired and wasted homes
  Flits the forest-bird unscared,
And, at noon, the wild beast comes
  Where our frugal meal was shared;
For the song of praises, there
  Shrieks the crow the livelong day,
For the sound of evening prayer
  Howls the evil beast of prey!

Sweet the songs we loved to sing
  Underneath thy holy sky—
Words and tones that used to bring
  Tears of joy in every eye,—
Dear the wrestling hours of prayer,
  When we gathered knee to knee,
Blameless youth and hoary hair,
  Bowed, oh God, alone to Thee!

As thine early children, Lord,
  Shared their wealth of daily bread,
Even so, with one accord,
  We, in love, each other fed.
Not with us the miser's hoard,
  Not with us his grasping hand;
Equal, round a common board,
  Drew our meek and brother-band!

Safe our quiet Eden lay
  When the war-whoop stirred the land,
And the Indian turned away
  From our home his bloody hand.
Well that forest-ranger saw,
  That the burthen and the curse
Of the white man's cruel law
  Rested also upon us.

Torn apart, and driven forth
  To our toiling hard and long,
Father!—from the dust of earth
  Lift we still our grateful song!

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Grateful—that in bonds we share
  In Thy love which maketh free,
Joyful—that the wrongs we bear
  Draw us nearer, Lord, to Thee!

Grateful!—that, where'er we toil—
  By Wachuset's wooded side,
On Nantucket's sea-worn isle,
  Or by wild Neponset's tide,—
Still, in spirit, we are near,
  And our evening hymns, which rise
Separate and discordant here,
  Meet and mingle in the skies!

Let the scoffer scorn and mock,
  Let the proud and evil priest
Rob the needy of his flock,
  For his wine-cup and his feast,—
Reddens not thy bolt in store
  Through the blackness of thy skies?
For the sighing of the poor
  Wilt thou not, at length, arise?

Worn and wasted, oh, how long
  Shall thy trodden poor complain,
In Thy name they bear the wrong,
  In Thy cause the bonds of pain!
Melt oppression's heart of steel,
  Let that haughty priesthood see,
And their blinded followers feel,
  That in us they mock at Thee!

In Thy time, oh Lord of hosts,
  Stretch abroad that hand, to save,
Which of old, on Egypt's coasts,
  Smote apart the Red Sea's wave!
Lead us from this evil land,
  From the spoiler set us free,
And, once more our gathered band,
  Heart to heart, shall worship Thee!

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HISTORICAL SKETCHES OF THE OLD PAINTERS.

APELLES.

"Is Protogenes at home?" inquired a young man, as he entered the painting room of the artist.

"No, master," replied an old woman, who was seated near a pannel prepared for painting—"No, master; he has gone forth to breathe the fresh air—and much does he need it after toiling here all day. It is his custom, at the approach of evening, to go down to the sea-shore, and snuff the breezes that come skimming over the water from the Grecian Isles."

"Is he then so laborious?" said the stranger.

"Aye, to be sure he is. They say he is determined to excel Apelles of Cos. Be that as it may, he never thinks his pictures are *finished*;—but it is no business of mine—else I might say life is too short to spend three or four years in dwelling, and lingering still unsatisfied, over the same picture."

"Thy life does not seem to have been a short one, mother," said the stranger, examining the lines of care and sorrow, which had strongly marked a face that might once have been handsome.

She looked earnestly at him without replying.

"I have urgent business with Protogenes," said the stranger.

"Very well; leave your name, and fix the time when you will come again. You cannot fail of finding him at home, when the sun gets above yonder loop-hole, and that is about the tenth hour in the morning."

The stranger drew a small tablet from under his robe, and seemed to be about inscribing his name;—suddenly he approached the pannel, and, taking a pencil which lay near, drew simply a straight line. As he looked up, he perceived the old woman gazing intently upon it.

"Look, mother," said he, smiling, "canst thou read that name?"

She fixed on him a steady look—"My eyes," replied she, "are dim with age—and I never was taught your Greek letters—but I can read thy face."

"And what dost thou read there?"

"That which my master is seeking—*truth*."

"Dost thou think I am looking for it at the bottom of a well?" said the stranger, smiling.

"Ah," replied she, changing at once her air and manner, into one of wild sublimity—"Thou art not born to look *down* for it, but *up*, *up!*" and she raised her hand and pointed upwards.

"Art thou a sooth-sayer, good mother?" said the youth, with reverence.

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"Who," replied she, with solemnity, "that has lived to see the raven hair turn to snow—who, that has watched the sapling as it grew into the sturdy oak, and has beheld generation after generation swept away—who that has seen all this, and yet stands blasted and alone, is not a sooth-sayer? Aye, young master—age and sorrow have the gift of reading the future by the sad past."

"Thou canst number many years?" said the youth, inquiringly.

She shook her head,—"I have outlived all that," said she—"I count not by years. I know not how many times the winter has come round—life has been one long winter to me."

"May, I ask," said the stranger, with increasing interest, "if you are a Greek?"

"I am of no nation—of no country," replied she, "I was once a Persian."

The stranger at once comprehended that she might have been torn as a captive from her native land—for the bloody laurels of Alexander were yet fresh upon his young brow—and he hastily changed a subject, which seemed to awaken such bitterly painful feelings.

"My errand to Rhodes was to see Protogenes," said he; "I cannot depart without an interview."

The old woman arose, and going towards the lattice, looked at the sun as it was fast sinking into the ocean. "He will be here directly, if you will have a brief patience," said she. This information rather seemed to hasten the youth away, for he immediately disappeared.

When Protogenes returned, the old woman said to him, "There has been a stranger inquiring for the master of the house."

"What name did he leave?" said Protogenes.

"That I may not say," replied she; "but he has written it there."

Protogenes drew near, and looked earnestly at the line;—suddenly seizing the pencil, he drew another under it.

"He is well acquainted with the name of Protogenes," said the woman—"it needs not to be written. He will be here to-morrow at the tenth hour."

"I shall not be at home at that hour," replied the master; "when he comes, show him this," and he pointed to the second line.

The next morning, as the old woman saw Protogenes go out, "Ah, well," she exclaimed, "how can age calculate upon the caprice of youth? I could have sworn this was an hour he would be at home."

Again the stranger made his appearance. "It is not my fault," said she, "that Protogenes seeks the morning air; but he has written his name under thine."

The stranger stood before the pannel, and gazed attentively upon it. Then, seizing another pencil, he drew a third line.

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"Father Zoroaster!" exclaimed the old woman, with horror, "thou hast written thy name in blood!"

"Nay, good mother," said the youth, "it is written with such a pencil as serves Protogenes;—look, I found it here, and here I leave it."

The emotion of the old woman subsided. "That is true," replied she. "I am old and failing, and sometimes every thing around me seems written in characters of blood. I have seen that of my country and kindred flowing like rivers! Well may I shudder even at the sign of it."

"It would seem," said the stranger, "that thou hast suffered much."

"More than I may care to repeat to thee," returned she. "Would that the fountains of memory were sealed forever. My husband—my children—all—all—slaughtered! and I left alone—*alone!* Stranger, dost thou understand that word—dost thou know what it is to be alone? To feel that thou hast no kindred in this breathing world—to have the fountains of affection rushing back upon thy own heart, and pressing upwards towards the brain—to have no living soul with whom thou canst hold communion—no worshipper of thy own faith?—This is to be *alone!*"

"Methinks, good mother," said the stranger, soothingly, "thou hast found friends. Protogenes is said to be gentle and humane."

"Yes," replied she, with bitterness, "I have found a *home*, among the enemies of our worship,—among those who have burnt our temples and murdered our priests!"

"If I understand rightly thy religion, thy God is every where," said the stranger.

"Most true," she returned—"I ascend the highest eminence in Rhodes, to catch the first glimpse of his rising beam. O, how gladly do I behold him in the far East! No, they cannot hide his face from the true worshipper. Angels, who surround his throne, and the new-born babe, are alike baptized in his glorious rays. His beneficence extends over the universe—and he writes the great lesson of universal love through every nation, for he irradiates even the enemies of his worship. It is a boast of the people of this island, that never a day passes that he does not shine down in unclouded brightness, at least for one entire hour, on their fair hills and valleys. Wilt thou go with me," continued she, kindling into enthusiasm, "before the day breaks to-morrow, and join me in my numaz soobh, (morning prayer)?"

"Most willingly," replied the stranger—"but tell me, mother, what may I call thy name?"

"I tell thee, I have no nation and no name," replied she, wildly. "When I was young, and had smiling babes around me, they called me Zara."

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"I will meet thee at the height where rises the Temple of Minerva, to-morrow morning," said the stranger;—"for the meantime farewell."

Protogenes returned immediately after his visiter had departed.

He again approached the pannel, and gazed upon the new character inscribed there.

"It is he!" he exclaimed; "I knew it could be no other!"

"It is not well," said the old women, "to have thy pannel thus defaced," and she took a piece of pumice-stone, with the intention of erasing the lines.

"Not for a thousand worlds," exclaimed the artist, motioning her away, while he stood gazing, as if enraptured,—"It will go down to posterity!"*

"Old woman, if all the treasures of thine own Persepolis, with every monument of Grecian art, were heaped upon thy head, thou couldst not purchase such a line as that—and were the whole circle of immortal sciences at thy command thou couldst not draw it!"

"Ah!" said she, in return, "a broader and a deeper one is drawn upon my heart by a murderer's hand!"

"Dwell not on thy melancholy history, good Zara," said the artist kindly, "it will make both thee and me too sad. But come, if thou hast any of the gifts of thy magic, come and divine the name of this stranger."

Zara slowly approached the pannel. "Thou will not let me rub it out?" said she, inquiringly.

"Not for the throne of Alexander," said he; "an empire could not replace it."

"In truth then I will read it to thee—*Apelles of Cos.*"

"Thou art, indeed, a very sooth-sayer," said Protogenes, laughing, "but perhaps he revealed to thee his name?"

"Thinkest thou," exclaimed she, "that the mind has no knowledge but through the outer senses? My fathers worshipped the sky, the earth, the water, as well as the great source of existence—the All-Glorious Sun—all these have their signs; and thinkest thou there are no signs of the spirit; that animates the man?—Whom hast thou called upon, even in thy sleep, but Apelles of Cos! What has stimulated thee to labors of thy pencil beyond thy strength, but the fame of Apelles?—I behold thee thus enraptured at the tracery of these simple lines, and thou sayest this name will go down to posterity—who can have inscribed them but Apelles of Cos?"

*Pliny, who relates this story, says he saw the fragment on which were drawn these lines; that it was consumed in the fire that destroyed the Emperor's palace. Probably they were slight sketches rather than simple straight lines. In the latter case, it would be entirely incomprehensible to us; while how distinctly the glorious imprint of genius may be stamped upon the mere combination of a few simple and rapid lines and touches, the celebrated etchings of Moritz Retsch, in our own times, abundantly attest.

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"In sooth thou hast interpreted thy signs well," said Protogenes; "and now, good Zara, cast aside thy divining mantle, and prepare a repast for this same glorious Apelles, while I go and seek him."

Still he lingered and gazed upon the lines,—"How delicate—yet how masterly!" he exclaimed. "No, I can never attain such perfection;—but wherever the name of Apelles is known, this record will go with it—and by it, at least, shall the name of Protogenes be united by future ages with that of Apelles!"

Sauntering along the shore of the beautiful harbour of Rhodes, and gazing on the waters that laved the Grecian Isles, Protogenes found Apelles. The two artists required no introduction;—they stood silent for a few moments;—at length Protogenes exclaimed—

"Noble Apelles, I have before read immortality in thy pencil, I see it now confirmed in thy face!"

"We are brothers," replied Apelles with simplicity; "I have come to seek thee at thy birth place of Roses—thy own fair Rhodes."*

"I perceive," said Protogenes, with that minuteness which marked his character, and was apparent in his paintings, "that thou hast adopted the modern nomenclature of our Island—for my own part I incline to the ancient, and were I a poet, of all the dozen from which we have to choose, I would term it Asteria."

"And why?" said Apelles, smiling. "Because," returned Protogenes, "it is formed like the Asteria."†

"I know not what its ancient name may have been," replied Apelles; "but while I behold these beautiful roses entwining around every portico and column, I can only think of the sweet name familiar to me. I agree with thee, however, that it is a bright gem on the bosom of our fair isle-studded sea."

"How does it compare with thy native Cos," said Protogenes, as they walked arm in arm back to his dwelling.

"Thou knowest," replied Apelles, "that island is small, compared to this—though it has the honor of being mentioned by Homer;—its soil is excellent, and it is sheltered from the winds by

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* The name Rhodes is commonly derived from the Greek word, *rhodon*, signifying a *rose*, which flower is said to have bloomed in remarkable profusion and beauty there; and it is alleged that the figure of a rose is given on the reverse of many Rhodian coins still extant. I may at least be pardoned for placing on the lips of the Grecian painter this more poetic version of the origin of the name, notwithstanding the labors of modern learning to destroy its long received authority, and to substitute the far less agreeable etymology from a Phenician word signifying a *serpent*. Alas for the vanity and vexation of that coldly unimaginative spirit of sceptical research and analysis of our day; which, not satisfied with the domain of the present and the future, is ever seeking also to strip every romantic legend, and poetic tradition, of the past, of the beautiful, even though deceptive, hues which it is so pleasant for the fancy's unlearned eye to dwell upon!

† A beautiful polished gem, resembling the opal.

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high mountains. It is subject to earthquakes, and we tremble lest it should one day be destroyed. But the glory of Cos is the temple of Æsculapius, which is daily filled with offerings from those who have been restored by the healing art, or by those who are still seeking aid."

"I have heard much of the fame of your Hippocrates," said Protogenes. "Hast thou ever thyself beheld him, or was his departure from this upper-light before thy childhood's years were sufficiently advanced to know and note the venerable sage?"

"Indeed do I remember him well," replied Apelles; "though the recollection of his silvery locks—whitened by more than a hundred winters—his noble brow—the beautiful benignity of his countenance; and the undimmed cheerfulness of his disposition—attesting well the excellence of his system for the preservation of health—form one of the earliest, as well as strongest, images impressed on my memory. He has formed a new school, adopting what was excellent in his great predecessors, and adding to it the inexhaustible stores of his own mind, which was continually engaged in useful discoveries. He received from his father Heraclides the elements of the sciences, and soon became convinced that, to comprehend particular diseases, it was necessary to understand the general principles that govern all nature. His great system is to assist experience by profound extensive observation, and to rectify theory by practice. I use his own words. Our most enlightened men, and those who understand his superiority by their own merit, pronounce him the first of human beings, and are convinced that his system will be life and health to posterity."

"If this conviction prove true," replied Protogenes, "the little island of Cos Meropis,—the name by which, if I remember rightly, it is spoken of by Homer—is more favored by the production of a man who has thus served the cause of humanity, than Macedonia, as the birth-place of Alexander."

In such conversation, the friends continued till they reached the dwelling of Protogenes. It was a humble but sweet abode, where every thing seemed to indicate extreme poverty, though ennobled by refinement and taste, and by that indescribable spirit of intellectual superiority over the poor trifles of this world's wealth. On entering, they found Zara had prepared an entertainment of figs, grapes and dates, with such other fruits as the climate produced, all ornamented with fragrant and blooming roses.

No other ornament was attempted in the humble apartment, but a single picture suspended on the wall. It represented a hound, panting with the fatigues of the chase. It was immediately observed, and its rare merit generously appreciated, by Apelles.

"That hound is indeed an inimitable production of thy pencil,—for I cannot mistake it for that of any other. The gleam of his eye

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seems almost to flash a ray forth from the picture, and the deep panting of his broad chest might seem almost to swell and sink from the surface of the canvass, as I gaze upon it. But especially that foam about the mouth, and fleckering his chest, appears to me the last perfection of art, in the imitation of nature."

"That picture hangs there, devoted to the goddess Fortune," replied the host; "since to her is chiefly due the merit which thou honorest with praise, so flattering from thy lips. I had exhausted upon it all my poor art, and longer labor than I care to tell, and the body of the dog may perhaps, indeed, be entitled to the credit of minute accuracy;—it is a portrait of an old favorite, once the sole companion of my rambles by the shore, as he was the sole friend of my poverty. But upon the mouth I had expended all in vain—and at last gave it up in despair, and, in the rage of the moment, dashed my sponge upon it, with perhaps an impious exclamation against my hard fortune,—when, behold, that random and desperate stroke scattered my colors as thou seest there, and produced the crowning result to which I confess my own skill to have been inadequate. Thou wilt not, therefore, wonder that I prize the picture as something more than a curiosity, nor impute to an idle vanity the conspicuous position in which it is placed. And who shall question the omnipotence, in all human affairs, of the divinity to whom, as almost a miracle of her own, I hold it sacred?"

"Who shall, indeed?" rejoined Apelles. "Least of all, shall I dispute her claims to our adoration, time-hallowed as they are; especially when I behold, in the career of my magnificent patron, the glorious Alexander—who might well be termed her spoiled child—so signal an evidence of her power over empires and millions, as well as over the humble details of our every-day life. I perceive that our good mother," he continued pleasantly, "though not by nativity, is at least by nature, a daughter of your Isle of Roses," glancing, as he spoke, at the rich profusion with which the table was covered, and alluding to their former conversation.

Zara was just quitting the apartment, but she turned round and said emphatically, "No, I *was* once *a Persian*."

"Touch not that string," exclaimed Protogenes, in a low voice. "There are subjects upon which her mind is unsettled, and she imagines herself like the Oracle of Delphi, *inspired*."

She evidently overheard the observation, for she exclaimed with solemnity, "Affliction brings us near to the Gods!"

"Leave us, good mother," said Protogenes, and Zara departed.

"She is a Persian, as she says," continued the artist, "and a devout worshipper of nature; the principle of which, she believes to be fire, elicited from the sun; but, like the rest of the Persians, her religion is strangely mixed up with wild oriental fancies."

After they had concluded their simple repast, they repaired to the

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study of the artist—"I part with thee no more," said Protogenes, "while thy foot rests on our Asteria!"

There the artists enjoyed that communion which belongs to the truly great and good. No base envy mingled with the admiration they felt for each other. Apelles was eager to point out wherein Protogenes excelled him; but frankly told him that in one respect he was his inferior—that of not knowing when to take his hand from his paintings.

"The touches of true genius," said Apelles, "are never elaborate—many a noble painting is spoiled by being overworked."

The next morning Apelles remembered his appointment with Zara; and long before the light dawned he was seated on the steps of the temple. In a few moments he perceived her coming towards him. She was dressed in the costume of her country—a large shawl like a turban on her head, and a short loose garment like a shirt, a vest girt with a sash, and sandals on her feet. She ascended the hill with a slow, languid step; yet her air was still noble and commanding.

Apelles went forward to assist her. "The animating principle is faint within me," said she; "it will be kindled when the God of Day arises." Slowly they walked forward to the summit of the mountain. When they reached the top, Zara turned towards the east, and bowed three times to the ground.

The beautiful Grecian temple stood below, with its simple columns of white marble; and lower down were interspersed doric buildings, palaces with their superb colonnades and splendid façades. Beyond these the quay spread into the broad ocean, whose waves rolled heavily towards the shore. The celebrated Colossus, now always associated with the name of the island, was not yet in existence, though it was erected but a few years afterwards. Nothing was in motion but the slight morning breeze whose cool freshness scarce displaced a single lock of the long flowing curls of the young man, and the never-resting billows, whose hollow voices were borne only faintly and at intervals up to the height at which they stood together.

How deep and solemn seemed the repose of nature! Suddenly the worshipper, in a clear, musical voice, began her morning hymn. At first the chant was low and indistinct; at length she broke forth in a wild and triumphant strain, her voice gathering fulness as she proceeded.

THE HYMN OF THE FIRE-WORSHIPPER.

Valley and hill,
  Forest and mount,
Ocean and rill,
  River and fount,
    Awake! Awake.

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He comes, the God
  Of the streaming ray!
With his glance to chase
  The clouds away—
    They break! They break!

Lo, how they flame,
  In the eastern sky,
As they feel and shrink
  From that burning eye,
    That Eye! That Eye!

As a routed host,
  All wildly rolled,
Scattered and tossed,
  In their robes of gold,
    They fly! They fly!

Ocean and land,
  The pœan sing,
With the angel-band,*
  Round the Fire-King
    His throne! His throne!

Lo, from the deep
  Abyss of night,
The first warm beam
  Of his radiant might,
    The Sun! The Sun!

That ray divine,
  We low adore,
Thrice thus to earth,
  Its path before,
    I kneel! I kneel!

Our life burned low,
  Through the night's dark hour,
But the glorious glow,
  And the quick'ning power,
    I feel! I feel!

As her voice attained its highest pitch, the sun arose in majestic splendor from the ocean.

Thrice Zara prostrated herself before the globe of fire, uttering low and unintelligible sounds. Then turning to Apelles, she said, "My morning worship is over, let us return." With a celerity wholly incompatible with her apparent age, she descended the hill. Apelles did not immediately follow; he watched her rapid progress; the free use of her limbs; the seeming elastic vigor of her motion; and he

* Goethe in describing the worship of the ancient Persians, says, "*dort glaubten sie den Thron Gottes, von Engeln umfunkelt, zu erblicken.*"

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said, "the divinity stirs within her! I too should be almost tempted to become a Fire-worshipper, had not the philosophy of the sages taught me that he who created the glorious sun must be greater than the sun itself."

While he stood gazing, the rays of the splendid luminary had marked its golden path across the ocean, and were burnishing the towers, hill-tops and woods. The numerous vessels which lay apparently sleeping in the harbour were one after another in motion. The Greeks came forth from their dwellings, and all was like the renewal of life. Slowly Apelles descended the hill. When he reached the house of his friend, he found he had just arisen. Zara had thrown aside her Persian robes, and, with them, her enthusiastic manner, which was only occasionally roused, and assumed the usual dress of the Greek women of her age and situation.

It was soon rumored in Rhodes that Apelles was there; and the inhabitants of rank and high birth, as well as the lower classes of citizens, all assembled to pay honor to the favorite of Alexander, and the most famous painter of the age,—for by both titles was he already distinguished

Protogenes, while he allowed the transcendent merit of Apelles, felt hurt that his own paintings had excited so little applause. Apelles perceived his emotion, and said, "It is not Apelles the painter, they honor; but Apelles the friend of Alexander.

He mixed familiarly with the Rhodians, and strove to make them understand the real excellence of his friend's pictures, at the same time admitting that he injured them by over-working.

"I perfectly agree with you," said a conceited young artist. "I have always avoided this elaborate style—I like a quick rapid touch—pray do me the favor to come with me to my study." Apelles, with his usual courtesy, accompanied him. He had just completed a large gaudy picture. "This," said the painter, "I consider an original; the style and manner are wholly my own." Apelles was silent, and the young man began to imagine he was struck dumb with admiration. "I completed this," said he, "in one month, I do assure you, and I can bring vouchers for it."

"There needs none," replied Apelles, "I should think you might have painted many more such in that time."

The false taste which prevailed among the Rhodians was one reason why they underrated the severe and accurate paintings of Protogenes. He used only four different colors, and they preferred the works of Anaxis, an ordinary painter, who made much more showy pictures.

Inflated with undeserved admiration, he affected to look with contempt on the pictures of Protogenes; the decided manner and pedantic terms of art that he used, were calculated to impose on the ignorant. He had exerted all his skill to complete a Helen that he

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was painting, before Apelles took his departure. He had probably outdone himself, for he had loaded her not only with jewels, but with gilding. "What do you think of my Helen?" said the artist, with a self-satisfied air. "I think," replied Apelles, "as you could not make her beautiful, you have at least made her rich!"

A few days before Apelles was to take his departure from Rhodes, it was understood that he would offer a picture for sale at one of the public halls. It was called Ialysus, and the name is all that remains to posterity.

Nothing could exceed the enthusiasm that prevailed; every wealthy citizen was eager to possess it, and they were all ready to outbid each other to the most extravagant amounts. Apelles was beloved for the urbanity of his manner; his graceful and easy conversation; and the Rhodians were dazzled by the high honors conferred on him by Alexander. The picture was exhibited, and they were enchanted with it; so great was the contest, that at length it was decided, that it should be purchased by the community, and retained as public property. When a sum was offered adequate to what Apelles conceived was its value, he said, "It is but justice to Protogenes to inform you that this picture is painted by him." A general murmur was heard. "It is the painting of Apelles that we want—we will not have it."

"Be it so," said Apelles; "I take you at your word, and purchase this picture for Alexander, who commissioned me to secure one of this artist's for him, whose fame is known abroad, if it is not appreciated at home. But I have the honor of Rhodes so much at heart, that I would willingly have allowed this to remain here, to prove that, in many respects, it possesses the greatest painter in the world."

When they found that Alexander was to be the purchaser, the picture rose tenfold in value, and they claimed it as a right.

Apelles took much pains to point out to them the beauty of the paintings of Protogenes, and to give them just notions of the noble art.

All this produced its effect. Protogenes was now solicited to furnish them with another picture at the same price as the former one, and applications poured in upon him. He saw wealth and honor before him. "How much gratitude do I not owe you!"—said he to his friend.

"You must not attribute what I have done," said Apelles, "to my friendship for Protogenes, but to my reverence for the art. At Cos I beheld one of your pictures, and it filled me with admiration; when I inquired for the artist, I was told that he lived at Rhodes, poor and unknown, and I resolved to visit you. I was astonished to find that, in this state of the arts, the tinsel of common painters could be preferred to such just and noble execution as yours. The favor of Alexander has given me importance in the eyes of the world.

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This favor I would make a means of usefulness, and for this purpose I came to Rhodes with the hope of ennobling my profession. The true essence of greatness and success consists in disinterested devotion to that to which we apply ourselves. Let us aim at truth and excellence, and commit the care of our fame to posterity. Tomorrow I quit you, but I leave you with the Gods, who are the friends of the virtuous." As they spoke, they had arm in arm wandered towards the high parts of the city, which overlooked the sea. Here they first observed that dark heavy clouds were rolling towards them, and the winds seemed rushing on like a tornado; while they gazed, they beheld Zara at a distance. Her appearance was striking; she was clad in her Persian costume, but her head was bare, and her long white locks streamed in the wind; her vest was thrown open, and her whole air was that of a maniac.

On seeing her, Protogenes exclaimed, "See yonder our good mother! She has on her divining mantle; she is ever unsettled when the clouds look black and threatening." "No wonder," replied Apelles; "they obscure her divinity." At that moment the thunder burst in loud peals. "She does not, like us," continued the artist, "see him in the clouds, and hear his voice in the thunder!" They hastened towards her. When she saw them approach, she exclaimed, "Get ye to the high mountains; wo and desolation is over the city. The waters of heaven are let loose! wo! wo!"—"Good Zara," said Protogenes, "hie thee home, the storm is coming." "Yes, it is coming," she exclaimed, "I hear its voice; it mingles with the dashing of the seas of blood!" In vain they tried to arrest her; she rushed through the streets crying, "wo! wo! my hour has come!"

Suddenly the clouds seemed to be rent asunder; torrents of rain and hail descended; the wind swept along with frightful fury; they distinguished the crashing of timber and the shrieks of human voices; the friends flung themselves prostrate upon the earth, and clung to each other. In a short time all the lower part of the city, which was built in the form of an amphitheatre, was inundated; the pipes which would have conducted the water to the ocean had been neglected, and were closed up; thousands were drowned before they could reach the higher ground. All at once the walls burst, and the water rushed towards the ocean, bearing with them hundreds of dead and living bodies. The clouds seemed to have exhausted their fury, and the whirlwind subsided. The friends arose to gaze on the desolation below. The lower part of the city was in ruins,—houses destroyed and the noblest specimens of the arts laid prostrate! The dwelling of Protogenes had escaped destruction; they repaired to it; Zara was not there; they sought her in vain; and, as her remains could not be found, they concluded she had been swept into the waters of the ocean.

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Apelles remained with his friend till the first consternation was over, and then sailed for Cos. Here he did not long continue; but was summoned to Macedonia, to take the portrait of his royal master. Apelles selected the moment when the Emperor was mounted on his noble and fiery steed Bucephalus, whom the monarch boasted no one had ever mounted, but himself. Alexander was not perfectly satisfied with the horse. Apelles requested that Bucephalus might be brought, that he might be compared with his representative. As soon as Bucephalus beheld the painting, he neighed loudly to it. "O King," said the painter, "your horse is a better judge of painting than yourself." The observation of Apelles, which afterwards became a proverb, has often been related, with the criticism of the shoe-maker upon a sandal, in one of the paintings of the artist. He said it was incorrect in its form, and gave his reasons. Apelles admitted their justice, and thanked him for his remarks. The shoe-maker, elated with his success, proceeded to criticise the leg—"Keep to your trade," said Apelles, "your judgment goes no higher than the sandal."

One of the most celebrated pictures of Apelles, was Venus rising from the ocean. It was placed in the temple of Diana, at Ephesus. Of the inscription on this painting the following translation will convey an imperfect idea:—

The waves divide, and from the foaming ocean
Fair Venus starts at once to life and motion!
With roseate hand her humid locks she rings,
And from her tresses many a dew-drop springs.
While gazing at the beauteous vision there,
Her rival sisters own themselves less fair;
Yet cry, tenacious still of beauty's field,
"'Tis to *Apelles* we the apple yield."

Another celebrated picture was the portrait of Alexander, with a thunder-bolt in his hand. It was so perfectly done, that the hand seemed to be thrust forth from the picture, yet firmly grasping the thunder-bolt; which gave rise to the following lines:—

We own, great Jupiter! thy power divine;
To hurl the avenging thunder-bolt, is thine!
But Alexander whom Apelles moulds
In his right hand the avenging thunder *holds*.

This portrait so entirely satisfied the monarch, that he issued a decree forbidding any other artist to attempt his portrait.

Perhaps it was his success in this picture that led Alexander to request Apelles to take a likeness of one of the distinguished beauties of his court, Campaspe, a young slave, of whose charms the ardent young monarch was passionately enamoured. Apelles was un-

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willing to refuse, and the young girl consented to sit for her picture. Day after day she came, and the artist apparently made but little progress in his work. He was aware that she was destined to grace the court of the monarch. At length, as she one day sat before him, he threw down his pallet and found himself at her feet. Campaspe quickly dropped her veil and retired without a word; from this time she appeared at the painter's room no more. Alexander remarked that Apelles was silent and abstracted. He one day inquired why there was such delay with the picture of Campaspe.

"Great King," replied Apelles, "wonder not that the beauty which has moved the conquerer of the world, should subdue one of his subjects. You have assigned me a task beyond my powers. I love Campaspe!" "And what says she to thee?" said Alexander. "Not a word!" replied Apelles.

The monarch too remained silent. The next day he ordered that the portrait should be completed; and again the young beauty appeared in the study of the artist.

When the picture was finished, Apelles presented it to Alexander. "I accept it," said the monarch; the *picture* is *mine*; Campaspe *thine*."

Blessed in the possession of a generous and noble heart, in the favor of his king, and the love of Campaspe, honored and respected by all Greece, Apelles yielded his last breath, at an advanced age, in the bosom of his family.

It may be said of the subject of the foregoing sketch, (in which are embodied all the authentic personal anecdotes of his life that have come down to us,) that his peculiar excellence in painting was the grace of his figures. He was conscious of this, and frankly asserted that, "though surpassed in many other respects, none equalled him in grace."

The generous friendship he exhibited towards Protogenes was afterwards of essential benefit to the Rhodians; for when Demetrius, the famous Besieger of Cities, was encamped before their capital, he refused to set fire to a part of the city where was situated the study of the artist, though it would have secured him possession of the city. And afterwards, when the city was taken, his admiration of the painting of Ialysus, mentioned before, obtained for it much more favorable terms than the Rhodians had dared to expect. It is related that Protogenes was found engaged in painting in his garden, when the troops of Demetrius entered, so absorbed in his occupation as to appear regardless of the tumult around. On being brought before the conqueror, and asked why he exhibited so little concern, amid the general calamity, he replied, "that he understood Demetrius warred with men, not with the arts." The King, in return, requested the artist to furnish him with a painting of his own production, and sent him a hundred talents.

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It is recorded of Apelles that he never painted on walls, nor any thing that could not be saved in a fire. He would have had the works of the best masters carried from one country to another, and could not endure that a picture should not be capable of having more than one master, because painting, he said, "was a common good to all the world!"

THE MONUMENTS OF GREECE.

BY THE AUTHOR OF "THE RUINS OF ATHENS."

From cliff and cape—the eagle's, outlaw's home—
They stand, like sentinels that watch the dead,
Temple and tower, whose crumbling wrecks entomb
The sod where knelt the brave of yore, or bled:
By wood and dell, by stream and shore, we tread
What seem, perchance, but fragments of the gray
And shattered crest of some old mountain-head,
Bowed by the earthquake,—pause,—thy footsteps stay!
These are no relics Greece leaves voiceless to decay.

Ages sweep on, and other hordes may band,
And build, like vultures, though the crescent wane,
In each old fastness of her mountain land,
Rewaste her earth, and link her broken chain;
But Leuctra, Salamis, Platææ's plain,
And wild Thermopylæ's sepulchral pass,
The monuments of Nature, these remain;
Perished the stone—but who the sighing grass
Wanders unheeded by, where fell Leonidas!

By cliff and cape, the temple, slowly bowed,
May fall,—the tomb commingle with the clay
It rose to shelter,—and the mighty shroud
Their memory in deeper gloom, as they
Had never been,—her very name decay,—
But from that spot which saw, before the might
Of freedom's lightning glance, the proud array
Of Orient's myriads streaming far in flight,
A spirit breathes, a power, no coming time shall blight.

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Here stood the Greek, and there the Persian shrank,
Rider o'er rider hurled, and shield o'er shield;
Bristling with spears, an iron crop, they sank
As the ripe harvests to the sickle yield,
Tombless to rot, and fertilize the field,
As weeds, they came as conquerors to reap.
Such be the lot of all that fear to wield
Arms 'gainst the tyrant in whose train they creep,
No tongue record their fall, nor tear their ashes steep!

Marathon, 1828.

FOOT-PRINTS ON THE SEA-SHORE.

BY THE AUTHOR OF "TWICE-TOLD-TALES."

It must be a spirit much unlike my own, which can keep itself in health and vigor without sometimes stealing from the sultry sunshine of the world, to plunge into the cool bath of solitude. At intervals, and not infrequent ones, the forest and the ocean summon me—one with the roar of its waves, the other with the murmur of its boughs—forth from the haunts of men. But I must wander many a mile, ere I could stand beneath the shadow of even one primeval tree, much less be lost among the multitude of hoary trunks, and hidden from earth and sky by the mystery of darksome foliage. Nothing is within my daily reach more like a forest than the acre or two of woodland near some suburban farm-house. When, therefore, the yearning for seclusion becomes a necessity within me, I am drawn to the sea-shore, which extends its line of rude rocks and seldom-trodden sands, for leagues around our bay. Setting forth, at my last ramble, on a September morning, I bound myself with a hermit's vow, to interchange no thoughts with man or woman, to share no social pleasure, but to derive all that day's enjoyment from shore, and sea, and sky,—from my soul's communion with these, and from fantasies, and recollections, or anticipated realities. Surely here is enough to feed a human spirit for a single day. Farewell, then, busy world! Till your evening lights shall shine along the street—till they gleam upon my sea-flushed face, as I tread homeward—free me from your ties, and let me be a peaceful outlaw.

Highways and cross-paths are hastily traversed; and, clambering down a crag, I find myself at the extremity of a long beach. How gladly does the spirit leap forth, and suddenly enlarge its sense of being to the full extent of the broad, blue, sunny deep! A greet-

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ing and a homage to the Sea! I descend over its margin, and dip my hand into the wave that meets me, and bathe my brow. That far-resounding roar is Ocean's voice of welcome. His salt breath brings a blessing along with it. Now let us pace together—the reader's fancy arm in arm with mine—this noble beach, which extends a mile or more from that craggy promontory to yonder rampart of broken rocks. In front, the sea; in the rear, a precipitous bank, the grassy verge of which is breaking away, year after year, and flings down its tufts of verdure upon the barrenness below. The beach itself is a broad space of sand, brown and sparkling, with hardly any pebbles intermixed. Near the water's edge there is a wet margin, which glistens brightly in the sunshine, and reflects objects like a mirror; and as we tread along the glistening border, a dry spot flashes around each footstep, but grows moist again, as we lift our feet. In some spots, the sand receives a complete impression of the sole—square toe and all; elsewhere, it is of such marble firmness, that we must stamp heavily to leave a print even of the iron-shod heel. Along the whole of this extensive beach gambols the surf-wave; now it makes a feint of dashing onward in a fury, yet dies away with a meek murmur, and does but kiss the strand; now, after many such abortive efforts, it rears itself up in an unbroken line, heightening as it advances, without a speck of foam on its green crest. With how fierce a roar it flings itself forward, and rushes far up the beach!

As I threw my eyes along the edge of the surf, I remember that I was startled, as Robinson Crusoe might have been, by the sense that human life was within the magic circle of my solitude. Afar off in the remote distance of the beach, appearing like sea-nymphs, or some airier things, such as might tread upon the feathery spray, was a group of girls. Hardly had I beheld them, when they passed into the shadow of the rocks and vanished. To comfort myself—for truly I would fain have gazed a while longer—I made acquaintance with a flock of beach-birds. These little citizens of the sea and air preceded me by about a stone's-throw along the strand, seeking, I suppose, for food upon its margin. Yet, with a philosophy which mankind would do well to imitate, they drew a continual pleasure from their toil for a subsistence. The sea was each little bird's great playmate. They chased it downward as it swept back, and again ran up swiftly before the impending wave, which sometimes overtook them and bore them off their feet. But they floated as lightly as one of their own feathers on the breaking crest. In their airy flutterings, they seemed to rest on the evanescent spray. Their images,—long-legged little figures, with grey backs and snowy bosoms,—were seen as distinctly as the realities in the mirror of the glistening strand. As I advanced, they flew a score or two of yards, and, again alighting, recommenced their dalliance with the surf-

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wave; and thus they bore me company along the beach, the types of pleasant fantasies, till, at its extremity, they took wing over the ocean, and were gone. After forming a friendship with these little surf-spirits, it is really worth a sigh, to find no memorial of them save their multitudinous little tracks in the sand.

When we have paced the length of the beach, it is pleasant, and not unprofitable, to retrace our steps, and recall the whole mood and occupation of the mind during the former passage. Our tracks, being all discernible, will guide us with an observing consciousness through every unconscious wandering of thought and fancy. Here we followed the surf in its reflux, to pick up a shell which the sea seemed loth to relinquish. Here we found a sea-weed, with an immense brown leaf, and trailed it behind us by its long snake-like stalk. Here we seized a live horse-shoe by the tail, and counted the many claws of that queer monster. Here we dug into the sand for pebbles, and skipped them upon the surface of the water. Here we wet our feet while examining a jelly-fish, which the waves, having just tossed it up, now sought to snatch away again. Here we trod along the brink of a fresh-water brooklet, which flows across the beach, becoming shallower and more shallow, till at last it sinks into the sand, and perishes in the effort to bear its little tribute to the main. Here some vagary appears to have bewildered us; for our tracks go round and round, and are confusedly intermingled, as if we had found a labyrinth upon the level beach. And here, amid our idle pastime, we sat down upon almost the only stone that breaks the surface of the sand, and were lost in an unlooked-for and overpowering conception of the majesty and awfulness of the great deep. Thus, by tracking our foot-prints in the sand, we track our own nature in its wayward course, and steal a glance upon it, when it never dreams of being so observed. Such glances always make us wiser.

This extensive beach affords room for another pleasant pastime. With your staff, you may write verses—love-verses, if they please you best—and consecrate them with a woman's name. Here, too, may be inscribed thoughts, feelings, desires, warm outgushings from the heart's secret places, which you would not pour upon the sand without the certainty that, almost ere the sky has looked upon them, the sea will wash them out. Stir not hence, till the record be effaced. Now—for there is room enough on your canvas—draw huge faces—huge as that of the Sphynx on Egyptian sands—and fit them with bodies of corresponding immensity, and legs which might stride half-way to yonder island. Child's play becomes magnificent on so grand a scale. But, after all, the most fascinating employment is simply to write your name in the sand. Draw the letters gigantic, so that two strides may barely measure them, and three for the long strokes! Cut deep, that the record may be permanent!

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Statesmen, and warriors, and poets, have spent their strength in no better cause than this. Is it accomplished? Return, then, in an hour or two, and seek for this mighty record of a name. The sea will have swept over it, even as time rolls its effacing waves over the names of statesmen, and warriors, and poets. Hark, the surf-wave laughs at you!

Passing from the beach, I begin to clamber over the crags, making my difficult way among the ruins of a rampart, shattered and broken by the assaults of a fierce enemy. The rocks rise in every variety of attitude; some of them have their feet in the foam, and are shagged half-way upward with sea-weed; some have been hollowed almost into caverns by the unwearied toil of the sea, which can afford to spend centuries in wearing away a rock, or even polishing a pebble. One huge rock ascends in monumental shape, with a face like a giant's tombstone, on which the veins resemble inscriptions, but in an unknown tongue. We will fancy them the forgotten characters of an antediluvian race; or else that nature's own hand has here recorded a mystery, which, could I read her language, would make mankind the wiser and the happier. How many a thing has troubled me with that same idea! Pass on, and leave it unexplained. Here is a narrow avenue, which might seem to have been hewn through the very heart of an enormous crag, affording passage for the rising sea to thunder back and forth, filling it with tumultuous foam, and then leaving its floor of black pebbles bare and glistening. Here was once an intersecting vein of softer stone, which the waves have gnawed away piecemeal, while the granite walls remain entire on either side. How sharply, and with what harsh clamor, does the sea rake back the pebbles, as it momentarily withdraws into its own depths! At intervals, the floor of the chasm is left nearly dry; but anon, at the outlet, two or three great waves are seen struggling to get in at once; two hit the walls athwart, while one rushes straight through, and all three thunder, as if with rage and triumph. They heap the chasm with a snow-drift of foam and spray. While watching this scene, I can never rid myself of the idea, that a monster, endowed with life and fierce energy, is striving to burst his way through the narrow pass. And what a contrast, to look through the stormy chasm, and catch a glimpse of the calm bright sea beyond!

Many interesting discoveries may be made among these broken cliffs. Once, for example, I found a dead seal, which a recent tempest had tossed into a nook of the rocks, where his shaggy carcass lay rolled in a heap of eel-grass, as if the sea-monster sought to hide himself from my eye. Another time, a shark seemed on the point of leaping from the surf to swallow me; nor did I, wholly without dread, approach near enough to ascertain that the man-eater had already met his own death from some fisherman in the bay. In the

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same ramble, I encountered a bird—a large grey bird—but whether a loon, or a wild goose, or the identical albatross of the Ancient Mariner, was beyond my ornithology to decide. It reposed so naturally on a bed of dry sea-weed, with its head beside its wing, that I almost fancied it alive, and trod softly lest it should suddenly spread its wings skyward. But the sea-bird would soar among the clouds no more, nor ride upon its native waves; so I drew near, and pulled out one of its mottled tail-feathers for a remembrance. Another day, I discovered an immense bone, wedged into a chasm of the rocks; it was at least ten feet long, curved like a scimetar, bejewelled with barnacles and small shell-fish, and partly covered with a growth of sea-weed. Some leviathan of former ages had used this ponderous mass as a jaw-bone. Curiosities of a minuter order may be observed in a deep reservoir, which is replenished with water at every tide, but becomes a lake among the crags, save when the sea is at its height. At the bottom of this rocky basin grow marine plants, some of which tower high beneath the water, and cast a shadow in the sunshine. Small fishes dart to and fro, and hide themselves among the sea-weed; there is also a solitary crab, who appears to lead the life of a hermit, communing with none of the other denizens of the place; and likewise several five-fingers—for I know no other name than that which children give them. If your imagination be at all accustomed to such freaks, you may look down into the depths of this pool, and fancy it the mysterious depth of ocean. But where are the hulks and scattered timbers of sunken ships?—where the treasures that old ocean hoards?—where the corroded cannon?—where the corpses and skeletons of seamen, who went down in storm and battle?

On the day of my last ramble, (it was a September day, yet as warm as summer,) what should I behold as I approached the above described basin but three girls sitting on its margin, and—yes, it veritably so—laving their snowy feet in the sunny water! These, these are the warm realities of those three visionary shapes that flitted from me on the beach. Hark! their merry voices, as they toss up the water with their feet! They have not seen me. I must shrink behind this rock, and steal away again.

In honest truth, vowed to solitude as I am, there is something in this encounter that makes the heart flutter with a strangely pleasant sensation. I know these girls to be realities of flesh and blood, yet, glancing at them so briefly, they mingle like kindred creatures with the ideal beings of my mind. It is pleasant, likewise, to gaze down from some high crag, and watch a group of children, gathering pebbles and pearly shells, and playing with the surf, as with old ocean's hoary beard. Nor does it infringe upon my seclusion, to see yonder boat at anchor off the shore, swinging dreamily to and fro, and rising and sinking with the alternate swell; while the crew—four

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gentlemen in round-about jackets—are busy with their fishing-lines. But, with an inward antipathy and a headlong flight, do I eschew the presence of any meditative stroller like myself, known by his pilgrim staff, his sauntering step, his shy demeanour, his observant yet abstracted eye. From such a man, as if another self had scared me, I scramble hastily over the rocks and take refuge in a nook which many a secret hour has given me a right to call my own. I would do battle for it even with the churl that should produce the title-deeds. Have not my musings melted into its rocky walls and sandy floor, and made them a portion of myself?

It is a recess in the line of cliffs, walled round by a rough, high precipice, which almost encircles and shuts in a little space of sand. In front, the sea appears as between the pillars of a portal. In the rear, the precipice is broken and intermixed with earth, which gives nourishment not only to clinging and twining shrubs, but to trees, that gripe the rock with their naked roots, and seem to struggle hard for footing and for soil enough to live upon. These are fir trees; but oaks hang their heavy branches from above, and throw down acorns on the beach, and shed their withering foliage upon the waves. At this autumnal season, the precipice is decorated with variegated splendor; trailing wreaths of scarlet flaunt from the summit downward; tufts of yellow-flowering shrubs, and rose bushes, with their reddened leaves and glossy seed-berries, sprout from each crevice; at every glance, I detect some new light or shade of beauty, all contrasting with the stern, gray rock. A rill of water trickles down the cliff and fills a little cistern near the base. I drain it at a draught, and find it fresh and pure. This recess shall be my dining-hall. And what the feast? A few biscuits, made savory by soaking them in sea-water, a tuft of samphire gathered from the beach, and an apple for the desert. By this time, the little rill has filled its reservoir again; and, as I quaff it, I thank God more heartily than for a civic banquet, that He gives me the healthful appetite to make a feast of bread and water.

Dinner being over, I throw myself at length upon the sand, and basking in the sunshine, let my mind disport itself at will. The walls of this my hermitage have no tongue to tell my follies, though I sometimes fancy that they have ears to hear them, and a soul to sympathize. There is a magic in this spot. Dreams haunt its precincts, and flit around me in broad sun-light, nor require that sleep shall blindfold me to real objects, ere these be visible. Here I can frame a story of two lovers, and make their shadows live before me, and be mirrored in the tranquil water, as they tread along the sand, leaving no foot-prints. Here, should I will it, I can summon up a single shade, and be myself her lover. Yes, dreamer,—but your lonely heart will be the colder for such fancies. Sometimes, too, the past comes back, and finds me here, and in her train come faces

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which were gladsome, when I knew them, yet seem not gladsome now. Would that my hiding place were lonelier, so that the past might not find me! Get ye all gone, old friends, and let me listen to the murmur of the sea,—a melancholy voice, but less sad than yours. Of what mysteries is it telling? Of sunken ships, and whereabouts they lie? Of islands afar and undiscovered, whose tawny children are unconscious of other islands and of continents, and deem the stars of heaven their nearest neighbours? Nothing of all this. What then? Has it talked for so many ages, and meant nothing all the while? No; for those ages find utterance in the sea's unchanging voice, and warn the listener to withdraw his interest from mortal vicissitudes, and let the infinite idea of eternity pervade his soul. This is wisdom; and, therefore, will I spend the next half-hour in shaping little boats of drift-wood, and launching them on voyages across the cove, with the feather of a sea-gull for a sail. If the voice of ages tell me true, this is as wise an occupation as to build ships of five hundred tons, and launch them forth upon the main, bound to 'far Cathay.' Yet, how would the merchant sneer at me!

And, after all, can such philosophy be true? Methinks I could find a thousand arguments against it. Well, then, let yonder shaggy rock, mid-deep in the surf—see! he is somewhat wrathful—,he rages and roars and foams—let that tall rock be my antagonist, and let me exercise my oratory like him of Athens, who bandied words with an angry sea and got the victory. My maiden speech is a triumphant one; for the gentleman in sea-weed has nothing to offer in reply, save an immitigable roaring. His voice, indeed, will be heard a long while after mine is hushed. Once more I shout, and the cliffs reverberate the sound. Oh, what joy for a shy man to feel himself so solitary, that he may lift his voice to its highest pitch without hazard of a listener! But, hush!—be silent, my good friend!—whence comes that stifled laughter? It was musical,—but how should there be such music in my solitude? Looking upwards, I catch a glimpse of three faces, peeping from the summit of the cliff, like angels between me and their native sky. Ah, fair girls, you may make yourselves merry at my eloquence,—but it was my turn to smile when I saw your white feet in the pool! Let us keep each other's secrets.

The sunshine has now passed from my hermitage, except a gleam upon the sand just where it meets the sea. A crowd of gloomy fantasies will come and haunt me, if I tarry longer here, in the darkening twilight of these grey rocks. This is a dismal place in some moods of the mind. Climb we, therefore, the precipice, and pause a moment on the brink, gazing down into that hollow chamber by the deep, where we have been, what few can be, sufficient to our own pastime—yes, say the word outright!—self-sufficient to our

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own happiness. How lonesome looks the recess now, and dreary too,—like all other spots where happiness has been! There lies my shadow in the departing sun-shine with its head upon the sea. I will pelt it with pebbles. A hit! a hit! I clap my hands in triumph, and see! my shadow clapping its unreal hands, and claiming the triumph for itself. What a simpleton must I have been all day, since my own shadow makes a mock of my fooleries!

Homeward! homeward! It is time to hasten home. It is time; it is time; for as the sun sinks over the western wave, the sea grows melancholy, and the surf has a saddened tone. The distant sails appear astray, and not of earth, in their remoteness amid the desolate waste. My spirit wanders forth afar, but finds no resting place, and comes shivering back. It is time that I were hence. But grudge me not the day that has been spent in seclusion, which yet was not solitude, since the great sea has been my companion, and the little sea-birds my friends, and the wind has told me his secrets, and airy shapes have flitted around me in my hermitage. Such companionship works an effect upon a man's character, as if he had been admitted to the society of creatures that are not mortal. And when, at noontide, I tread the crowded streets, the influence of this day will still be felt; so that I shall walk among men kindly and as a brother, with affection and sympathy, but yet shall not melt into the indistinguishable mass of human kind. I shall think my own thoughts, and feel my own emotions, and possess my individuality unviolated. But it is good, at the eve of such a day, to feel and know that there are men and women in the world. That feeling and that knowledge are mine, at this moment; for, on the shore, far below me, the fishing-party have landed from their skiff, and are cooking their scaly prey by a fire of drift-wood, kindled in the angle of two rude rocks. The three visionary girls are likewise there. In the deepening twilight, while the surf is dashing near their hearth, the ruddy gleam of the fire throws a strange air of comfort over the wild cove, bestrewn as it is with pebbles and sea-weed, and exposed to the 'melancholy main.' Moreover, as the smoke climbs up the precipice, it brings with it a savory smell from a pan of fried fish, and a black kettle of chowder, and reminds me that my dinner was nothing but bread and water, and a tuft of samphire, and an apple. Methinks the party might find room for another guest, at that flat rock which serves them for a table; and if spoons be scarce, I could pick up a clam-shell on the beach. They see me now; and—the blessing of a hungry man upon him!—one of them sends up a hospitable shout—halloo, Sir Solitary! come down and sup with us! The ladies wave their handkerchiefs. Can I decline? No; and be it owned, after all my solitary joys, that this is the sweetest moment of a Day by the Sea-Shore.

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THE DYING CHILD.

BY MRS. C. E. DA PONTE.

Ah, yes, the spirit's glow is gone,
  Passed from that face away,
The flush of childhood and of health
  Fled with thy slow decay.
No more the song of joy is heard,
  From that low mournful voice,
No more bright days of gladness come,
  Thou canst not now rejoice.

Ah, yes, the spirit's glow is gone,—
  What mortal hand can now
Recall the brightness to that eye,
  The color to that brow!
'Tis all in vain; no human power
  I feel at last can save,
Flower of sweet loveliness, 'tis thou
  Art singled for the grave.

And I! what dreams I had for thee
  Of life, and future years,
Without a shadow in their course,
  Or grief's destroying tears!
Thoughts, dreams, and visions, what are they!
  Fond mockeries of the brain,
Hopes, o'er whose momentary light,
  The heart must weep in vain!

Pale child, I dare not number o'er
  Thy days of pain and grief,
How long, how patiently thy voice
  Imploring, sought relief,—
How many watching hours were thine,
  Mid loneliness and fears,
With only God and me to mark
  Thy agony and tears!

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And now the spirit's glow is gone,
  Forever from that face,
As 'mid its wreck of loveliness,
  The lines of death I trace;
For life is ebbing fast from thee,
  My sad and gentle child,—
Alas the blighted blossom fails
  Ere summer skies have smiled.

'Twill be a weary hour, I know,
  When those last words are said,
And silently and coldly falls
  The earth upon thy bed!
When rude and careless men have borne
  Thy coffin from my sight—
I could not see them shut thee from
  This world of sun and light?

I bury thee! how strangely falls
  That word upon my heart!
How shall I bear the hour at last,
  My child, when we must part!
I cannot tell,—I dare not think,—
  Nor weep,—nor even pray;
My God, who strikes this bitter blow,
  Support me through that day!

LEISURE-HOURS AT SARATOGA.

BY THE AUTHOR OF "HOPE LESLIE," &c.

I REMEMBER once to have been startled by a sermon on the right employment of our leisure hours. I had fancied, in common with most of the world, that if the set time of business (by that imposing name we all grace our occupations) was diligently employed, our leisure hours were not to be included in the great account, but rather thrown in like remnants by a generous dealer,—sunny hours all, taking no shadow from the past, and casting no shadow before,—golden hours, snatched from that wrinkled hag Care, who sits brooding over our anxious days. But the preacher told us,—and I have ever since been haunted by the idea,—that our leisure hours were precisely those for which we should be held to the strictest account.

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With this sermon on my conscience, I went to Saratoga. One of my first thoughts, when I looked round upon the busy crowd of idlers (we are all vigilant over others' duties) was, how in the world those people were to answer for ten consecutive days, three weeks, or a month of leisure hours! Were they not throwing away the stuff that life is made of!—without a thought of the account accumulating upon them! Here were the old, just finishing the voyage of life, and the young, just entering upon it,—all gliding rapidly down the stream, and all seeming to fancy that the shores are passing them, not they the shores. I was awakened from my reverie by my friend Mrs. J. . . ., whose ideas seem to be generated in the clear healthy atmosphere of her heart. "Look there," she said, "the benevolent can find a field every where, even in a Saratoga drawing-room!" I followed the direction of her eyes, and saw one of the loveliest of all the young and fashionable that graced that drawing-room. She had broken away from a knot of girls and young men, (leaving her lion's-portion of their attentions to escheat to her companions) and joined a poor lady who actually appeared to be aching with her solitude in that lively crowd. She had come to Saratoga two or three days before, with the prime necessity of woman's life, a male adjunct, who appeared as regularly as the knives and forks at meal times, and left her side as soon as he had reconducted her to the drawing-room; where she would slink into a corner, and remain like a bit of drift-wood, that has been whirled into an eddy, and there stops, while every thing is joyously floating past. Her name and condition were known to be respectable, but her dress was rather grotesque, and her hair, which no stretch of the imagination could change from red to auburn was,—now when every head is simply and classically arranged—drawn up to the top of her crown, where it stood like the leaning tower of Pisa. Then she looked so painfully still, so sorry that she was there, so wistfully towards every one that had a companion to speak to, that she had moved ———'s compassion, and she went on her errand of charity. Scarcely had half-a-dozen sentences of the common currency of introductory conversation been exchanged, when the solitary lady looked like a new creature. She was no longer a stranger and an alien, but linked in with her fellow creatures, part and parcel of the cheerful world about her; and when ——— offered her arm, and strolled up and down the room with her, giving her that important information which she had been burning to acquire, but dared not ask, the name of that tall gentleman, and this short lady, she appeared like one taken off a desolate island, on board a ship sailing under his own country's flag, with ship-mates speaking his own language. "You were right," said I to my friend, "even this is a field of benevolence, and ——— has gleaned a scattered ear." And well redeemed, I thought, a leisure hour, for she has made a fellow creature happy; no matter

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by what simple means such an object is attained—the simpler the better.

The next morning enriched us with a large party from North Carolina. Fortunate is the State that can send forth such citizens to represent it. Intelligent and kind-hearted, simple and direct in their manners, with that evident self-respect resting on the immovable foundation of intrinsic respectability, and the modesty and deference that springs from a faith in the worth of others—a faith which is the well-spring of life to humanity. There was one young person of this party who was the centre of general interest. She was not beautiful, but she had a power to rivet and charm the eye beyond a regular and reigning beauty. There was a languor in her movement, and an abstractedness in her expression, as if for her the soul of life was gone, or as if (for she was suffering from ill health) she were listening to the strain, "Sister-spirit, come away!" But when a voice she loved struck upon her ear, or a word touched her heart-chords, she raised her heavy eye-lids, and a world glowing with sunshine, warmth, and beauty, was revealed at a single glance. It reminded me of the child's pretty fancy, that "the stars were holes cut to let the glory through." The morning after her arrival one of her party asked her to sing, and her father—of all the admirers of her music the most enthusiastic (as he should be)—brought her guitar. She took it, and without any prelude of affected modesty, or fluttering anxiety, or real and painful bashfulness, she played Irish melodies, Scotch airs, and old English songs, such as "The harp that once through Tara's halls," the "Ingle-side," and "Oft in the stilly night,"—those household words, domestic treasures, holy spells that conjure up the dead, and pour melody over the soul from voices long silent. When she began to sing it was some hour or two after breakfast, the hour of general dispersion. Her voice was a signal for a general recall. The ladies came from their cells, and the gentlemen poured in from the piazzas, till the drawing-room was filled. There was not the slightest change in her manner. While there were murmurs of applause, sighs, and eyes wet from memory's opened fountains, while those who only tolerate Italian music were betrayed into spontaneous admiration, she sang as if she were singing at twilight in her own mother's parlour, as unconscious of listeners, and as sweetly, as the wood-thrush in its deep solitude.

Sure, thought I,

> ——"Sure something holy lodges in that breast,
> And with these raptures moves the vocal air,
> To testify his hidden residence."

And within that breast, as I afterwards found, was one of the most loving and trusting hearts ever made perfect through suffering. After a while the drive, the ride, the inviting savor of Barhyte's

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trout, were too strong for the music. Say and do what we will, our English blood is not 'native to the manner',—we must have more substantial pleasure—something that smacks of the roast-beef and plum-pudding of life. And in their diurnal pursuit of these, the audience of our sweet singer dispersed, but not till a leisure hour had been redeemed from vanity and vacuity.

Strangers reproach us with 'sectional prejudices,' amounting in their virulence to that natural hatred so patriotically cultivated for some centuries between the French and English. If they actually do exist, Saratoga should be considered as a sort of Jerusalem, and the annual gathering there a national jubilee, when we are emancipated from something worse than physical slavery,—for these sectional prejudices are chains and manacles to kindly feelings—dark prison-houses to generous thought. Many a leisure hour is well employed on that neutral ground of Saratoga, when the social sympathies are linking the hearts of the fair rivals of rival cities, and "smoothing the raven down" of that deepest darkness in our Republic, political animosity,—when the warmth and eloquence of the southerner melts the ice of the northern man, and finds and feels the generous current that flows beneath it—when the erudite Bostonian quotes the science and even repeats the puns of the Philadelphian,—and when New-York fashionables beg patterns of caps and capes from Baltimoreans. These are the genial offices of acquaintance, and before its influence 'sectional prejudice' vanishes as night vapors melt in the eye of the sun.

I have long more than doubted the curative effect of satire,—that most bitter of medicines. It is certainly a more gracious task to discover a life-sustaining plant, than keenly to detect a poisonous herb; and far pleasanter to gather flowers than to point out obtruding weeds; and most wise is it, like the wise man, to idealize the cheerful countenance, and, like the good vicar, to "love to look upon happy human faces." This being my faith, I would not advise any to waste their leisure hours at Saratoga upon such hacknied subjects as manœuvring mammas and their puppet daughters, parvenus, mustachioed dandies, and self-created foreign nobility. Indeed, with one or two exceptions, these races appeared nearly extinct. I remember, though, one exquisite thing—a shadowy presentment of humanity, made up of curls and essences, that held its embroidered kerchief *à la mode*, and waltzed hat in hand; that "disabled all the benefits of his own country, was out of love with his nativity, and almost chid God for making him that countenance he wore,"—so that some lively girls, taking pity on his out-of-place doublet and hose, subscribed, from their own stores, a suit of suitable apparel for him. I know not if it were sent, but I saw the list,—including ear-rings, hair-pins, and papillottes.

But instead of these oft-recorded denizens of the watering-place,

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there were, for those of the Vicar's taste, husbands and wives apparently so contented with their lot, that they cared not whether the law of the land allowed divorce to all who wished it, like the reformed code of Prussia, or denied it to all who craved it, like certain other codes, so they were permitted to wear their easy yoke together. There were mothers whose delighted eyes followed their younger selves, and who seemed to have no design for them more heinous than securing their present innocent enjoyments. There were beautiful girls untrammelled, as all American girls are, self-relying, and most safe in their self-reliance, who betrayed no impatience to transfer their allegiance from parent to husband. There were travelled ladies from Paris, who had come home with improved tastes, stored memories, and hearts full of love for their country, and with as simple, chaste, and elegant a toilet, as if the Paris milliners were all dead and buried, and refined women had taken the apparelling of their persons into their own hands. There were elderly single ladies, who neither gossipped about other people's affairs, nor obtruded their own. One or two of these I noted, with tempers so cheerful, and sympathies so warm and active, that it was plain they had not needed the sanative relations of wife and mother to keep them in good humor, and preserve the fountain of their affections living and flowing. And there was—*O rara avis*—a millionaire uncourted, and unobtruding. And lastly, (the order of our enumeration resembles that of a child's of his dinner,—pies, tarts, flummery, and *roast beef*,) lastly, there were men from the highest professional, official, and commercial walks of life, who had cast their cares behind them, and come there to recreate in their leisure hours,—and of some among them I may add, most gratefully, to redeem and enrich the leisure hours of others.

And what a life-time is in those leisure hours! A resident of two weeks has seen generation after generation appear and pass away,—he has made acquaintance and forgotten them,—perchance has ripened friendships and sighed over their decay. Happy are the few who escape the doom of most human things—oblivion.

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AN INCIDENT AT SORRENTO.

BY WILLIAM CULLEN BRYANT.

[The following lines relate an incident which occurred two or three years since in Italy.]

Fair is thy site, Sorrento! green thy shore!
Black crags behind thee pierce the clear blue skies,
The sea, whose borders ruled the world of yore,
As clear, and bluer still, before thee lies.

Vesuvius smokes in sight, whose fount of fire,
Out-gushing, drowned the cities on his steeps;
And murmuring Naples, spire o'ertopping spire,
Sits on the slope beyond, where Virgil sleeps.

Here doth the earth with flowers of every hue
Heap her green breast, when April's sun is bright,—
Flowers of the morning-red, or ocean-blue,
Or like the mountain frost of silvery white.

Currents of fragrance from the orange tree,
And sward of violets, breathing to and fro,
Mingle, and wandering out upon the sea,
Refresh the idle boatman where they blow.

Yet even here, as under harsher climes,
Tears o'er the loved and early lost are shed,
That soft air saddens with the funeral chimes,
Those shining flowers are gathered for the dead.

Here once a child, a playful, smiling one,
All the day long caressing and caressed,
Died, when his little tongue had just begun
To lisp the names of those he loved the best.

The father strove his struggling grief to quell;
The mother wept, as mothers use to weep;
Two little sisters wearied them to tell
When their dear Carlo would awake from sleep.

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Within an inner room his couch they spread,
His funeral couch; with mingled grief and love,
They laid a crown of roses on his head,
And murmured, "brighter is his crown above."

They scattered round him, on his snowy sheet,
Laburnum's strings of sunny-coloured gems,
Sad hyacinth and violet dim and sweet,
And orange blossoms on their dark green stems.

And now the hour is come,—the priest is there,—
Torches are lit,—the bells are tolled,—they go,
With solemn rites of blessing and of prayer,
To lay those dear remains in earth below.

The door is opened—hark that quick glad cry—
"Carlo has waked—has waked, and is at play!"
The little sisters leap and laugh, and try
To climb the couch on which the infant lay.

And there he sits, alive, and gaily shakes,
In his full hands, the blossoms blue and white,
And smiles with winking eyes, like one who wakes
From a deep slumber at the morning light.

THE CANADA QUESTION.

Civil war in the British North American Provinces! This event has come upon the people of the United States with something of apparent suddenness and surprise; and yet, to those who have attentively observed the progress of opinion in the two Canadas, the proceedings of the Assembly of Lower Canada, the discussions on the subject in the British Parliament, and the agitation of the Canadians themselves, the actual collision between the mother country and her colonies has been a matter neither strange nor unexpected. Indeed, if there be any thing remarkable in the fact, it has been, that, situated as the British Provinces are, in close contiguity with the United States, and exposed, as they thus have so long been, to the salutary contagion of democratic institutions and democratic principles, they have been content until this time to remain the subject colonies of Great Britain.

While, however, it has been apparent, of late especially, that a

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change in the relations of Great Britain and her North American Provinces was at hand, it is right to observe that actual hostilities were precipitated by the violence of the royalist party in Lower Canada. The Canadians were pursuing *reform* in constitutional modes. Their House of Assembly had again and again presented the grievances of the colony to the notice of the mother country. They had refused, as they lawfully and constitutionally might, to make appropriations for the salaries of the officers of the Crown, unless the reforms, municipal and constitutional, which they deemed essential to the colony, were conceded by Great Britain. They were peacefully organizing themselves, as they had a right to do, for effective resistance,—forcible or not, as the case might require,—to any attempt of the Crown to coerce them into an abandonment of the objects of reform which the good of the colony demanded. They were discussing these objects in public meetings and in public journals, as they had full right to do. They were preparing to maintain their rights by force if assailed by force. But they did not strike the first blow. They did not explode the train of revolution. This was done by the persons and the party attached to the mother country, who assaulted individuals of an association called 'Sons of Liberty,'—mobbed the printing office, and destroyed the printing materials, of the principal journal of the Canadians, a paper conducted with great spirit and ability, the *Vindicator*—arrested and imprisoned many of their number on charges of sedition or treason, and thus drove the Canadians to take up arms, and kindled the flame of civil war in the Province.

There can, we are inclined to think, be little doubt, that it was the *purpose* of the violent loyalists of Montreal, in those steps, to precipitate the outbreak, the near approach of which was self-evident,—in the belief that the rapidity of action, bravery, and discipline of the regular troops, would probably be able to crush at once the first insurrectionary gatherings, before the depth of the winter should open the communication across the St. Lawrence by means of the ice. Matters had, by this time, proceeded so far, the mutual feelings of the two parties had reached such a point of exasperation, and the organization of the Canadians, emanating from the central association of the 'Sons of Liberty,' in Montreal, was progressing so rapidly, that, in truth, the course adopted seemed the only one that afforded a chance of nipping the embryo revolution in the bud. By driving out into overt treason all the leaders,—whose designs were already scarce half concealed, while they pursued them so skilfully as to keep within the line of personal safety,—it was doubtless supposed that the result would either place their persons within the power of Government, as prisoners, or get rid of them as fugitive exiles.

The immediate crisis was brought on by measures of the British government, adopted in the aim to compel the Canadians to submit

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themselves to the will of the mother country, in respect of the questions of right raised by the House of Assembly of Lower Canada. To understand this point, however, and the merits of the controversy generally, it is necessary to go back to the former early history of the colony, and trace events down to the present day.

Canada, originally a French colony, it is known, came into the possession of Great Britain by conquest, being assured to her by treaty in 1763, just at the beginning of the controversy between her and the colonies now constituting the United States. The province contained at that time a small population, less than a hundred thousand souls. Being exclusively French, and having for many years been at war, more or less, with the old British Colonies in America, the Canadians did not, at the epoch of the Revolution, sympathize in feeling with the latter; and, unwilling, perhaps, to incur anew so soon the horrors of war, remained passively submissive to the authority of Great Britain,—governed, without institutions of their own, as a conquered colony.

But when the French revolution not long afterwards ensued,—an event, by which, from their French origin and language, the Canadians were likely to be more sensibly affected than by a revolution in the British colonies, though on the same continent,—the British government felt the necessity of anticipating any discontent in Canada by the voluntary concession of institutions, and by other measures which might conspire to secure their allegiance.

Accordingly, in 1791, an act of Parliament was introduced and passed by Mr. Pitt, which is commonly called the 'Constitutional Act;' and by which the colony was divided into two governments, Upper and Lower Canada. The idea was, to organize each after the model of the constitution of Great Britain itself: answering to the King, a Governor,—for the Cabinet, an Executive Council,—for the House of Lords, a Legislative Council,—for the House of Commons, a Representative Assembly. The colony was divided, in order to have that part of it called Upper Canada peopled by emigrants from Great Britain, so as to balance the French colony of Lower Canada.

To this organization of the Canadas very serious objections were made at the time; which objections have, in the progress of events, been fully verified. First, it was objected that, by the separation, Upper Canada would be insulated in the interior of the continent, being accessible to maritime commerce only through Lower Canada, or through the United States. Then, it was objected that the theory of the 'Constitutional Act' was radically defective, inasmuch as Canada had not, and no American colony could have, an hereditary aristocracy of sufficient number and weight to correspond to the peerage of Great Britain; and therefore the Legislative Council would either be nugatory, if it did not exercise its functions independently of the Assembly, or on the other hand, if it did, would

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become odious to the colony, as the mere instrument of the Crown, by whom its members were appointed.

Out of this inherent vice of the 'Constitutional Act' a multitude of evils have flowed. As the Canadians grew in numbers and intelligence, they naturally desired to meliorate the condition of their country, in conformity with the spirit of the age. But the Legislative Council proved to be a perpetual drawback on all reform,—a standing conservator of every abuse.

Thus matters went on, until the war of 1812, between the United States and Great Britain, at which time, as before in 1774 and 1791, the government of Great Britain took pains, by politic conciliations, of one sort or another, to enlist the Canadas on their side, and against the natural ally of the Canadians.

Since that period, however, the discontents of the Canadians have been gradually growing to a head; until, in 1833, the supply bill, passed by the Assembly, was coupled with conditions of the reform of various gross abuses of the colonial administration; which the Government not consenting to reform, the supply bill was lost. This event was the beginning of the end; for the next year the House of Assembly set forth solemnly the grievances of the colony, in the celebrated "Ninety-two Resolutions." This document has not, that we are aware, been published in the United States; and its great importance at the present time, as a formal exhibition of the claims of the Canadians to redress, will justify us in transferring some of the more material parts of it to our pages.

Resolutions of the House of Assembly of Lower Canada, dated

Quebec, Friday, 21st February, 1834.

1. *Resolved*, That His Majesty's loyal Subjects, the People of the Province of Lower Canada, have shewn the strongest attachment to the British Empire, of which they are a portion; that they have repeatedly defended it with courage, in time of war; that at the period which preceded the Independence of the late British Colonies on this Continent, they resisted the appeal made to them by those Colonies to join their confederation.

4. *Resolved*, That this House, as representing the People of this Province, has shewn an earnest zeal to advance the general prosperity of the Country, by securing the peace and content of all classes of its Inhabitants, without any distinction of origin or creed, and upon the solid and durable basis of unity of interest, and equal confidence in the protection of the Mother Country.

6. *Resolved*, That in the year 1827, the great majority of the People of this Province complained, in Petitions signed by 87,000 persons, of serious and numerous abuses which then prevailed, many of which had then existed for a great number of years, and of which the greater part still exist without correction or mitigation.

7. *Resolved*, That the complaints aforesaid, and the grievances which gave rise to them, being submitted to the consideration of the Parliament of the United Kingdom, occasioned the appointment of a Committee of the House of Commons, of which the Honorable Edward Geoffrey Stanley, now His Majesty's Principal Secretary of State for the Colonial Department, and several others who are now Members of His Majesty's Government, formed part; and that after a careful investigation, and dur

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deliberation, the said Committee, on the 18th July, 1828, came to the following very just conclusions:—

1stly. "That the embarrassments and discontents that had long prevailed in the Canadas, had arisen from serious defects in the system of Laws and the Constitutions established in those Colonies."

2dly. "That these embarrassments were in great measure to be attributed to the manner in which the existing system had been administered."

3dly. "That they had a complete conviction, that neither the suggestions which they had made, nor any other improvements in the Laws and Constitutions of the Canadas, will be attended with the desired effect, unless an impartial, conciliating, and constitutional system of Government were observed in these loyal and important Colonies."

8. *Resolved*, That since the period aforesaid, the Constitution of this Province, with its serious defects, has continued to be administered in a manner calculated to multiply the embarrassments and discontents which have long prevailed; and that the recommendations of the Committee of the House of Commons have not been followed by effective measures of a nature to produce the desired effect.

9. *Resolved*, That the most serious defect in the Constitutional Act,—its radical fault,—the most active principle of evil and discontent in the Province, the most powerful and most frequent cause of abuses of power,—of the infractions of the Laws,—of the waste of the public revenue and property, accompanied by impunity to the governing party, and the oppression and consequent resentment of the governed,—is that injudicious enactment, the fatal results of which were foretold by the Right Hon. Charles James Fox, at the time of its adoption, which invests the Crown with that exorbitant power, (incompatible with any Government duly balanced and founded on Law and Justice, and not on force and coercion) of selecting and composing, without any rule or limitation, or any predetermined qualification, an entire Branch of the Legislature, supposed from the nature of its attributions to be independent, but inevitably the servile tool of the authority which creates, composes and decomposes it, and can any day modify it to suit the interests or the passions of the moment.

10. *Resolved*, That with the possession of a power so unlimited, the abuse of it is inseparably connected, and that it has always been so exercised in the selection of the Members of the Legislative Council of this Province, as to favor the spirit of monopoly and despotism in the executive, judicial, and administrative departments of Government, and never in favor of the public interest.

21. *Resolved*, That the Legislative Council of this Province, has never been any thing else but an impotent screen between the Governor and the people, which, by enabling the one to maintain a conflict with the other, has served to perpetuate a system of discord and contention; that it has unceasingly acted with avowed hostility to the sentiments of the people as constitutionally expressed by the House of Assembly; that it is not right, under the name of a Legislative Council, to impose an aristocracy on a country which contains no natural materials for the composition of such a body; that the Parliament of the United Kingdom, in granting to His Majesty's Canadian Subjects the power of revising the Constitution under which they hold their dearest rights, would adopt a liberal policy, free from all considerations of former interests and of existing prejudices; and that by this measure, equally consistent with a wise and sound policy and with the most liberal and extended views, the Parliament of the United Kingdom would enter into a noble rivalry with the United States of America, would prevent His Majesty's subjects from seeing any thing to envy *there*, and would preserve a friendly intercourse between Great Britain and this Province, as her Colony, so long as the tie between us shall continue, and as her Ally whenever the course of events may change our relative position.

37. *Resolved*, That the political world in Europe is at this moment agitated by two great parties, who in different countries appear under the several names of Serviles, Royalists, Tories, and Conservatives, on the one side, and of Liberals, Constitutionals, Republicans, Whigs, Reformers, Radicals, and similar appellations on the other;

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that the former party is, on this continent, without any weight or influence, except what it derives from its European supporters, and from a trifling number of persons who become their dependents for the sake of personal gain, and of others who from age or habit cling to opinions which are not partaken by any numerous class; while the second party overspreads all America; and that the Colonial Secretary is mistaken, if he believes that the exclusion of a few salaried Officers from the Legislative Council could suffice to make it harmonize with the wants, wishes, and opinions of the People, as long as the Colonial Governors retain the power of preserving in it a majority of Members rendered servile by their antipathy to every liberal idea.

41. *Resolved*, That His Majesty's Secretary of State for the Colonial Department has acknowledged in his Despatches, that it has frequently been admitted that the People of Canada ought to see nothing in the Institutions of the neighboring States which they could regard with envy, and that he has yet to learn that any such feeling now exists among His Majesty's subjects in Canada: to which this House answers, that the neighbouring States have a form of Government very fit to prevent abuses of power, and very effective in repressing them: that the reverse of this order of things has always prevailed in Canada under the present form of Government: that there exists in the neighbouring States a stronger and more general attachment to the national institutions, than in any other country; and that there exists also, in those States a guarantee for the progressive advance of their political institutions towards perfection, in the revision of the same at short and determinate intervals, by conventions of the People, in order that they may, without any shock or violence, be adapted to the actual state of things.

44. *Resolved*, That the unanimous consent with which all the American States have adopted and extended the Elective system, shews that it is adapted to the wishes manners and social state of the Inhabitants of this Continent; that this system prevails among those of British and those of Spanish origin, although the latter, during the continuance of their Colonial state, had been under the calamitous yoke of ignorance and absolutism; and that we do not hesitate to ask from a Prince of the House of Brunswick, and a reformed Parliament, all the freedom and political powers which the Princes of the House of Stuart and their Parliaments granted to the most favored of the Plantations formed at a period when such grants must have been less favorably regarded than they would now be.

47. *Resolved*, That the fidelity of the People and the protection of the Government are correlative obligations, of which the one cannot long subsist without the other; that, by reason of the defects which exist in the Laws and Constitution of this Province, and of the manner in which those Laws and that Constitution have been administered, the People of this Province are not sufficiently protected in their lives, their property and their honor; and the long series of acts of injustice and oppression of which they have to complain, have increased with alarming rapidity in violence and in number, under the present Administration.

73. *Resolved*, That it was anciently the practice of the House of Commons, to withhold Supplies until grievances were redressed; and that in following this course in the present conjuncture, we are warranted in our proceedings, as well by the most approved precedents as by the spirit of the Constitution itself.

75. *Resolved*, That the number of the Inhabitants of the country being about 600,000, those of French origin are about 525,000, and those of British or other origin 75,000; and that the establishment of the Civil Government of Lower Canada, for the year 1832, according to the yearly Returns made by the Provincial Administration, for the information of the British Parliament, contained the names of 157 Officers and others receiving Salaries, who are apparently of British or Foreign origin, and the names of 47 who are, apparently, natives of the country, of French origin, that this statement does not exhibit the whole disproportion which exists in the distribution of the public money and power, the latter class being, for the most part, appointed to the inferior and less lucrative offices, and most frequently only obtaining even them, by becoming the dependents of those who hold the higher and the more

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lucrative offices; that the accumulation of many of the best paid and most influential, and at the same time incompatible, offices in the same person, which is forbidden by the laws and by sound policy, exists especially for the benefit of the former class and that two-thirds of the persons included in the last commission of the peace issued in the province, are apparently of British or foreign origin, and one-third only of French origin.

84. *Resolved*, That besides the grievances and abuses beforementioned, there exist in this province a great number of others, (a part of which existed before the commencement of the present Administration, which has maintained them, and is the author of a portion of them) with regard to which this House reserves to itself the right of complaining and demanding reparation, and the number of which is too great to allow of their being enumerated here: that this House points out as among that number:

5thly. The intermeddling of members of the Legislative Council in the elections of the representatives of the people, for the purpose of influencing and controlling them by force; and the selection frequently made of returning officers for the purpose of securing the same partial and corrupt ends;—the interference of the present Governor-in-chief himself in the said elections; his approval of the intermeddling of the said Legislative councillors in the said elections; the partiality with which he intervened in the Judicial proceedings connected with the said elections, for the purpose of influencing the said proceedings in a manner favorable to the Military power, and contrary to the independence of the Judicial Power; and the applause which, as commander of the forces, he bestowed upon the sanguinary execution of the citizens by the soldiery.

6thly. The interference of the armed military force at such elections, through which three peaceable citizens, whose exertions were necessary to the support of their families, and who were strangers to the agitation of the election, were shot dead in the streets: the applause bestowed by the Governor-in-chief and commander of the forces are the authors of this sanguinary military execution (who had not been acquitted by a petty jury) for the firmness and discipline displayed by them on that occasion.

We have selected only a part of these Resolutions, because of the great number and length of the whole; but what we have given will sufficiently illustrate the nature of the grievances of which the Canadians complained.

In consequence of these and other proceedings, commissioners were sent from Great Britain to investigate the affairs of Canada on the spot; which commissioners at length made report, in accordance, of course, with the instructions and wishes of the Government by which they were employed,—the Canadian House of Assembly continuing to refuse the supplies,—and on the 6th of March, 1837, Lord John Russell introduced into the House of Commons the following resolutions, by way of answer to, and decision upon, the complaints of the colony.

'1. That since the 31st day of October, in the year 1832, no provision has been made by the Legislature of the Province of Lower Canada for defraying the charges of the administration of justice, and for the support of the civil government, within the said Province; and that there will, on the 10th day of April now next ensuing, be required for defraying in full the charges aforesaid to that day, the sum of 142,160*l.* 14*s.* 6*d.*

'2. That at a session of the Legislature of Lower Canada, holden at the city of Quebec, in the said Province, in the months of September and October, 1836, the Governor of the said Province, in compliance with his Majesty's commands,

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recommended to the attention of the House of Assembly thereof, the estimates for the current year, and also the accounts, showing the amount due in respect of the civil government, and signified to the said House his Majesty's confidence that they would accede to the application which he had been commanded to secure, for the payment of the arrears due on account of the public service, and for the funds necessary to carry on the civil government of the Province.

'3. That the said House of Assembly, on the 3d day of October, 1836, by an address to the Governor of the said Province, declined to vote a supply for the purposes aforesaid, and by the said address, after referring to a former address of the said House to the Governor of the said Province, declared that the said House persisted, amongst other things, in the demand of an elective Legislative Council, and in demanding the repeal of a certain Act, passed by the Parliament of the United Kingdom, in favor of the North American Land Company; and, by the said address, the said House of Assembly further adverted to the demand made by that House of the free exercise of its control over all the branches of the Executive Government; and by the said address the said House of Assembly further declared, that it was incumbent on them, in the present conjuncture, to adjourn their deliberations until his Majesty's Government should, by its acts, especially by rendering the second branch of the Legislature conformable to the wishes and wants of the people, have commenced the great work of justice and reform, and created a confidence, which alone could crown it with success.

'4. That in the existing state of Lower Canada, it is unadvisable to make the Legislative Council of that Province an elective body; but that it is expedient that measures be adopted for securing to that branch of the Legislature a greater degree of public confidence.

'5. That while it is expedient to improve the composition of the Executive Council in Lower Canada, it is unadvisable to subject it to the responsibility demanded by the House of Assembly of that Province.

'6. That the legal title of the North American Land Company to the land holden by the said company by virtue of a grant from his Majesty, under the public seal of the said Province, and to the privileges conferred on the said company by the act for that purpose made, in the fourth year of his Majesty's reign, ought to be maintained inviolate.

'7. (Relates to 'The Canada Tenure Act,' and 'The Canada Trades Act.')

'8. That for defraying the arrears due on account of the established and customary charges of the administration of justice, and of the civil government of the said Province, it is expedient, that, after applying for that purpose such balance as shall, on the said 10th day of April, 1837, be in in the hands of the Receiver General of the said Province, arising from his Majesty's hereditary, territorial and casual revenue, the Governor of the said Province be empowered to issue from and out of any other part of his Majesty's revenue, in the hands of the Receiver General of the said Province, such further sums as shall be necessary to effect the payment of the before-mentioned sum of 142,160*l.* 14*s.* 6*d.*

'9. That it is expedient that his Majesty be authorized to place at the disposal of the Legislature of the said Province, the nett proceeds of his Majesty's hereditary, territorial and casual revenue arising within the same, in case the said Legislature shall see fit to grant to his Majesty a civil list for defraying the necessary charges of the administration of justice, and for the maintenance and unavoidable expenses of certain of the principal officers of the civil government of the said Province.

'10. (Relates to the trade between Lower Canada and Upper Canada.)

These resolutions, were introduced by Lord John Russell, in a speech which betrays throughout a halting between two opinions; a reluctance to drive things in Canada to the last resort, and a conviction that still matters were evidently and irresistibly tending thither. Indeed, Lord Stanley, in the subsequent debates, very

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justly characterized the resolutions as too weak for coercion, and too strong for conciliation. The Ministers were warned by the opposition that this was *the old question* between the thirteen colonies and the mother country; that things had been going on in the same train in Lower Canada now, as in Massachusetts Bay formerly; that Canada had precedents to refer to, and act by, in the history of the thirteen colonies, for any public contingency of her own case; that, *in general*, a populous and powerful colony could not be retained by Great Britain, without the consent of the colony itself; that especially the Canadas could not, being in the vicinity of the United States, imbued with democratic opinions by contact with a democratic people, and sure of being able to draw resources from, and find refuge in, the American republic; and that the Ministers had but one course to pursue,—to grant at once the reforms prayed for by the House of Assembly of Lower Canada. Accordingly, Mr. Leader moved, as a test question, by way of amendment of Lord John Russell's motion,—'that it is advisable to make the Legislative Council of that Province an elective council.' The main position upon which Lord John Russell rested the resolutions, was, that the ministers of Great Britain could not conduct the affairs of Lower Canada if the Legislative Council was elective. Which simply means, of course, that an elective legislative council would, naturally, be in the interests of the colony,—while the Legislative Council, as at present constituted, of nominees of the Crown, was subservient to the interests of Great Britain, as adversary to those of the colony. Indeed, he expressly says:—'I do not suppose that these colonies will persist in their demands; but, if they do still hold out, we have not the means of carrying on the government of them here, in continual resistance to their assemblies.' Mr. O'Connell, Mr. Leader, Mr. Roebuck, and others, very justly replied:—'You cannot hold the Canadas at any rate, if you adopt and act upon these resolutions,—perhaps you may, if you grant their demands; but to undertake to coerce them is, of itself, to make sure of their separation from the mother country.' However, the Ministers persisted, and the resolutions were, from time to time, after more or less of debate upon the more important of them, passed in the House of Commons, by decisive majorities,—being finally disposed of in that body on the 24th of April.

On the 9th day of May, the resolutions were taken up in the House of Lords, discussed and passed,—being opposed only by Lord Brougham, who, in addition to speaking against them, entered the following protest on the journal of the Lords.

Dissentient,—

1. Because these resolutions, embracing a great variety of important subjects, upon which different opinions may be entertained by the same persons, were all passed to the vote as once, in a House of not a tenth part of the members that frequently attend when questions affecting the interests of political parties or even individuals stand for discussion.

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2. Because, though some of these resolutions are justifiable, there are others, and especially the eighth, which set all considerations of sound policy, of generosity, and justice, at defiance, and will most likely be regarded as indicating a design to crush whatever spirit of opposition to the Executive Government may at any time and for any cause show itself in any portion of North American provinces.

3. Because it is the fundamental principle of the British Constitution which was intended to be established in Canada by the act of 1791,—and was finally promulgated in 1831, that no part of the taxes levied upon the people shall be applied to any purpose whatever without the consent of their Representatives in Parliament; and this control ought in an especial manner to be vested in the people of the Colonies, seeing that it never can give them the same unlimited influence which it confers on the people of the parent State; for, if supplies are withheld by the Commons of England on account of grievance, the Crown has no other resource, and the grievance must be redressed; whereas, if the Commons withhold supplies for the like reasons, the Crown cannot by this proceeding be obliged to redress the grievance as long as the Parliament of the mother country is willing to furnish the funds required.

4. Because the taking possession of the money placed by the British Parliament at the disposal of the Colonial Councils, without their consent, is wholly subversive of the above-named fundamental principle, and directly contrary to the wise and salutary provisions of the act passed in 1831;—nor does it at all signify that this is said only to be done upon the present occasion, and that the rights of the Colonial Parliament are represented as left unimpaired.

The precedent of 1837 will ever after be cited in support of such oppressive proceedings as often as the Commons of any Colony may withhold supplies; how justifiable soever their refusal may be, or in whatever designs the Executive Government may be engaged.

5. Because the constitution of the Council, having been tried for nearly half a century, has not only failed to produce the advantages expected from it, but, after occasioning the most serious evils, has ended in bringing the Legislative operations of the Colonial Parliament to a close; and there seems good ground to hope the evils now complained of may be remedied by introducing the elective principle into the constitution of this body, under due modifications. But the 4th resolution seems to pledge Parliament against ever introducing that principle, since it is not possible to conceive any circumstance justifying its introduction if the existing state of things does not.

6. Because the spirit in which these proceedings were conceived is avowedly adverse to the opinions and desires of a vast majority of the inhabitants of Lower Canada, and the no less plainly avowed object in bringing them forward is, by the authoritative declaration of Parliament to put down the principles and thwart the inclination so generally prevailing among the people of that Province.

7. Because these proceedings, so closely resembling the fatal measures that severed the United States from Great Britain, have their origin in principles, and derive their support from reasonings, which form a prodigious contrast to the whole grounds, and the only defence, of the policy during later years so justly and so wisely sanctioned by the Imperial Parliament, in administering the affairs of the mother country. Nor is it easy to imagine, that the inhabitants of either the American or the European branches of the Empire should contemplate so strange a contrast without drawing inferences therefrom discreditable to the character of the Legislature, and injurious to the future welfare of the State, when they mark with what different measures we mete to 600,000 inhabitants of a remote province unrepresented in Parliament, and to 6,000,000 of our fellow-citizens nearer home, and making themselves heard by their Representatives, the reflection will surely arise in Canada, and may possibly find its way into Ireland, that the sacred rules of justice, the most worthy feelings of national generosity, and the soundest principles of enlightened policy may be appealed to in vain, if the demand of the suitor be not also supported by personal interests and party views, and political fears among those whose aid he seeks, while all men, perceiving that many persons have found themselves at liberty to hold a course towards an important but remote Province, which their constituents never would suffer to be

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pursued towards the most inconsiderable borough of the United Kingdom, an impression will be inevitably propagated most dangerous to the maintenance of Colonial dominion, that the people can never safely entrust the powers of Government to any supreme authority not residing amongst themselves.

BROUGHAM.

Our readers can now judge for themselves what are the merits of this great controversy between Great Britain and the Canadas. We say *the Canadas*, because, though Lower Canada has been foremost in the dispute, and though it was upon the resolutions of the Assembly of Lower Canada that parliament acted, and though the British party is much stronger in Upper than in Lower Canada, yet the public question is the same in both, and the one must follow the fate of the other, so far as regards their ultimate relation to Great Britain. Our readers, we repeat, can judge for themselves, as to the merits of the question,—but there are two or three points in it, which we desire to present in relief from the others.

First, it must be admitted, that the Canadians have had ample cause of complaint; grievances enough to justify them in demanding redress, *and in persisting until they should obtain it.* The ministers of the Crown confessed this in the very resolutions they offered; Parliament confessed it; and it is a fact undeniable upon the record; proved by authentic state papers, of which we have given some idea in the preceding pages.

Secondly, those grievances were of a kind which seem to be of the very essence of a colonial government. The remoteness of an American colony from its European metropolis; the diverse and contrariant interest which of necessity grew up in such a case; the fact of being governed by officers, civil and military, sent from a foreign country—these, and a multitude of other considerations, which the colonial history of the United States renders familiar to all, tend to show that a colony on this continent, when it arrives at maturity, and acquires the feelings of self-respect belonging to maturity, *cannot* be satisfactorily governed, or well governed, by a Colonial Secretary in Europe. Lord John Russell might well say, that he and his colleagues could not govern Lower Canada, without repressing the demands of its House of Assembly. Certainly he could not govern it under such circumstances, without the performance of acts, which, as properly averred by Lord Brougham, if applied to the internal administration of England itself, would be denounced and resisted, as tyrannical in principle and insupportable in fact.

Thirdly, it is the right of every people, which possesses the inclination and physical power, to remodel and reform its institutions at will. This is the fundamental principle of the institutions of the United States, and cannot be denied or controverted, without impeachment of the wisdom and virtue of our fathers of the Revolution, nor without the renunciation of every thing which is peculiar or

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valuable in the constitutions, whether of the United States, or of the individual States. It is a right, which belongs *to every people;* and it belongs to a European colony in America, not less, but more, than to any other description of people. The Canadians have all these grounds of right to reform their government, and to institute a new one, in such form as may best promote their own happiness; and they have another, which is equally sacred,—they are *a conquered people.* Great Britain acquired her dominion over them by *force;* they do not owe allegiance to her as an original colony of hers; and surely, if there be any case in which a people may of right throw off the authority of those who govern them, it is when these last are *foreign conquerors;* and which is the precise relation of Great Britain to the Canadas.

We do not propose to look at this question in any bearings which it may be presumed to have upon supposed interests of our own. Our aim has rather been to consider it as a question of political right. We look with solicitude, personally, to the issue of the event, because the triumph of the people will be a triumph of liberty —of democratic principle—of the right of self-government; but at all events, it must be the duty, and of course the determination and the endeavour, of the United States, to avoid any compromise of its neutrality, by taking sides either with the colonies against Great Britain, or of Great Britain against the colonies.

On a calm view of the whole subject, no one can, it appears to us, entertain the preposterous idea of the possibility of the continuance of the colonial relation between the Canadas and Great Britain. It is utterly contrary to the spirit of the age. Thank God, the period of force, of armed violence, is passing away from the world, at least, from those countries enlightened and liberalized,—as England has been preeminently,—by the influence of the genius of Commerce. The idea of an armed struggle for dominion over a powerful colony, by England, at this day, is too absurd. A large proportion of the party now in the ascendency in that country, has long been utterly opposed to the whole system of foreign and colonial policy, maintained by England under the auspices of those anti-liberal principles which are now fast passing away in the mother country itself. A majority of the people of the Canadas desire to be free,—to govern themselves on the pure representative principles of which they have so glorious a model perpetually before their eyes; and they are so unreasonable as not to feel contented to go down to the sea shore* to greet rulers sent to them from across an ocean three thousand miles wide! It is enough. They must become free whenever they will it.

The question is of no importance to us. There is nothing to be desired by us in the prospective annexation of the Canadas to our Union. That event may happen,—or those provinces may maintain

* Paine.

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a friendly independence. We have no material objection to the English neighbourhood. Any serious disturbance of friendly relations between the two commercial sister countries, Great Britain and our Union, is an event not less impossible, now, or hereafter, than it would be to roll back the lapse of time, and resuscitate the passed and buried centuries. Nor is there any thing to be either desired or deprecated in the proximity of a kindred republic on the banks of the St. Lawrence. It could not influence, in the slightest degree, either our safety or prosperity. Nor would there be any benefit to them in a participation in our federal union,—at least no greater benefit than would attend a sovereign independence, provided they should follow, which would doubtless be the case, our great principles of republican freedom at home, and peaceful commerce abroad.

And yet we are not haunted with that idea, which we hear so frequently expressed, of 'the danger of extending our already overgrown territorial limits.' This is one of those false ideas which has been bequeathed to us by the Past,—that Past which was terminated when the American experiment first dawned upon the world as the commencement of a new era. That idea is evidently correlative to the one of strong central governmental action. A strong central government cannot, indeed, maintain the cohesion of extended territories, of diversified peculiar interests, beyond certain limits. They follow the mathematical law of all radiating forces—the strength of their action diminishes in inverse proportion to the square of the distance; beyond a certain circular limit it must be inoperative, except by such convulsive effort as must derange and disorganize the whole system. Such a territorial dominion, is then 'overgrown' and unmanageable. But those terms can have no proper applicability to a federal republican system, on the principle of diffusion of power on which ours is based. The peculiar characteristic of our system. —the distinctive evidence of its divine origin (that is to say, its foundation on those original principles of natural right and truth, implanted by the Creator, as the first moral elements of human nature)—is, that it may, if its theory is maintained pure in practice, be extended, with equal safety and efficiency, over any indefinite number of millions of population and territory. In such a federative system,—in which every individual portion is left free to its own self-government, and to the cultivation of its own peculiar interests, with the sole restriction, of respect for the equal rights of other portions, and under the protection of a federal union, of strictly defined powers, to give some degree of uniform national organization to the whole mass, in its relations with foreign powers,—every part has an equal interest in the maintainance of the system, and its great principles. The vitality is not forcibly propelled from the centre to the extremities, but is diffused equally throughout all the parts; and it is only necessary for the latter to contribute a suf-

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ficient degree of the vital energy *towards* the centre to keep alive the general unity of the national body. Such a system is, from its nature,—if its great principles are only preserved sound and pure,—as applicable on a large scale as on a small one; and we can see no reason why, at some future day, our 'experiment' should not be in successful operation over the whole North American continent, from the isthmus to the pole.

Yet in this supposed gradual extension of the federal union,—if such should be the tendency of future events,—the benefit of every successive accession enures not to the main body, but to the new member added; the former has no interest in it. The natural distrust of the future and the unknown, however clear probabilities may seem, might make it rather the part of prudence to decline the accession which cannot add any material benefit, and may, possibly, do harm. In discussing freely, therefore, the question of the relations between the Canadas and the mother country, we shall not be suspected of a hankering after an extension of our own territory. We look upon the subject only in the light of general principles,—and may, without impropriety, and without violating the spirit of perfect neutrality, express ourselves with entire freedom upon it. No American, sincerely and understandingly imbued with American principles, can refrain from feeling a deep sympathy in a cause so closely analogous with that of our own Revolution;—and feeling, there can exist no consideration to check the free expression of it. At the same time, we hold all actual participation in the contest, whether by individuals or bodies of men, to be highly improper, and equally a violation of our national neutrality (which the individual citizen is as much bound to hold sacred as the organized government) and inconsistent with a philosophical view of the principles involved. If the Canadian *people* will to be free from their dependence on a foreign country, they have but to arise in their strength of mass and say so;—they need no assistance of money or volunteers from us. If it is not the will of the *people*,—or if that will is not sufficiently strong to carry them through the ordeal of revolution,—we ought not yet to desire it. In neither case ought we to exert any other interference, than that moral influence of sympathy and approbation, of which no human power can rightfully restrain the expression. This has been freely done on many former occasions—witness the struggles for freedom of the Greeks, the Poles, or, still more applicably, of the several Republics which have successively risen to independence in the New World. We shall not, of course, be understood as comparing the British dominion over the Canadian colonies, to the illiberal and brutal tyranny against which the rights of man were struggling for emancipation in those cases; yet that does not touch the question. If freedom is the best of national blessings, if self-government is the first of national rights,

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and if the 'fostering protection' of a 'paternal government' is in reality the worst of national evils—in a word, if all our American ideas and feelings, so ardently cherished and proudly maintained, are not worse than a delusion and a mockery—then are we bound to sympathize with the cause of the Canadian rebellion, with the most earnest hope that success may, with as little effusion of blood as possible—why should it flow!—crown it as a Revolution. What may be the immediate issue of the contest, none can presume to prophecy. But even though the present unprepared rising should be crushed, it is evident that the fiat of separation has gone forth beyond recall. The breach already existing, and stretching wider every day, can never again be closed and cemented. Least of all can it be rationally expected, that the fire and sword, as they are reported (we hope without truth) to have been tried at St. Charles, can effect that object. The end is at hand; and it would far better become the noble nation which would itself be the first to dare and sacrifice all in such a struggle, to resign at once, with magnanimity and mercy, an unnatural dominion which it will cost seas of human blood to attempt to retain. In fact, we look with not less deep interest to the news from England, than to the events of the contest in the Provinces. May she be true to her own best interests and highest glory!

But one more remark in connection with this subject. One of the 'signs of the times,' which must strike foreigners, and even liberal members of the anti-popular party among ourselves with surprise, is the disposition which is manifested by many citizens, and not a few respectable presses, of the United States, to frown upon the infant revolution—to disparage the efforts of the Canadians, and the character and principles of the able and respectable men, who, like the Otises, the Adams, the Henrys, and the Franklins of our own Revolution, happen to be placed, by their patriotism, and the confidence of their countrymen, in the front of affairs, as the auspicious champions of the cause of liberty and independence,—and this in the United States,—a government founded on colonial revolution, and of which the vital principle is, the right of every people to have such form of government, and such governors, as it may in its supreme discretion choose! But there is nothing in it that excites our surprise. There has always existed among us a party, respectable in numbers as well as in wealth and education, entertaining an inveterate distrust of, and dislike to, the people and popular principles. And here recurs the broad line of demarcation between our parties, which we can trace on every question that arises. We might point to several leading Whig papers, whose sympathies in every case arising, involving a collision between popular and anti-popular principles, in the affairs of foreign nations, flow, invariably because naturally, in behalf of the latter. It is in fact one of the best tests to apply to the professed republicanism of Americans,—

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to ascertain whether it is a sound and pure principle, understandingly believed, and feelingly cherished,—to put them on foreign ground, and observe the side, in the struggles of the two causes there perpetually in progress, their sympathies incline to. This is a test which does not often fail. We by no means intend to apply this reproach to the whole Whig party, or its entire Press. Far from it. There are many variations in degree in the anti-popular bias of sentiment which is, as a whole, their general characteristic; and a large proportion of them are soundly democratic at heart, if they but knew it, and are only excited to oppose a democratic Administration from adventitious causes, and by deceptive appeals to the very principles which ought to make them its earnest supporters.

With respect to the Canadians, we are glad to say, that the number of the papers from which they have to experience this illiberality, is comparatively small. As a whole the people of the Union manifest a warm interest in their cause. We are bound, morally bound, to sympathize, in this, as in every other question, with that party which has the weight of natural justice on its side. And as Americans, as the citizens of a country elevated to greatness by virtue of the very claims to self-government which the Canadians assert, it is impossible to repress the emotion of candid good will towards them, and of ardent aspirations for the honorable success of this new family of worshippers at the holy Shrine of Liberty.

SONNET.

Written after reading the translation, from the Greek Anthology, of Meleager's epitaph on his young daughter, published in the United States Magazine and Democratic Review, for October, 1837.

And was this all, fond sire, thy faith could say,
  O'er the sweet flowret torn from thy embrace,
  "Yield, mother mild, a soft and kindly place,
And gently lie upon her mouldering clay!"
Cold, joyless creed! Oh how beyond compare,
  Our heav'n-taught hope excels thy utmost art,
  To fill with balmy peace the broken heart,
And cheer the soul, by calm, confiding pray'r!
"The precious dust we give, in tears, to thee,
  Earth, safely keep," the Christian parent cries,
  "Till the glad hour when all the dead shall rise;
And, Father, grant, that then my lot may be,
  To join my lov'd one in her native skies,
  And there forever dwell with her and Thee!"

B. F. B.

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AARON BURR.*

This work will scarcely be accounted a valuable contribution to our political history. The species of interest which was sought to be created for it is not likely to succeed with the American public; and least of all does it hold out a prospect of resuscitation to the extinguished fame of Aaron Burr, or bid fair to reinvest his name and character with the interest which, for the space of a full generation, they have lost with the public. Even the political value which might have attached to such a work seemed merged, on its announcement, in the greater attraction of anticipated details of forgotten liaisons; and in the narrative itself, the solemn moral of Burr's fate, and the instructive spectacle of his career, have been completely lost sight of, in the vain hope of reanimating the political hatreds of a disappointed man, and glossing over events long since adjudicated by the irreversible decision of public opinion. In the pursuit of this weak attempt, the author of these volumes seems to have sacrified even the negative merit of producing a work, possessing the abstract interest which a simple narrative of Burr's career could hardly fail to excite.

There are, besides, many passages which show that the licentious secrets of a man notorious for his immorality, have exerted too strong an influence on the imagination of his biographer; and the 'knowing air' with which an alleged amatory correspondence, and numberless intrigues, are referred to, that they may be ostentatiously withheld, from an affected tenderness to the reputations they would destroy, is alike repulsive to correct morals and correct taste. We select the following passage from the preface, before proceeding with our task—and others might be found in the work—for signal reprobation, as embodying in the most offensive manner these unpleasing peculiarities.

"I entertain a hope that I shall escape the charge of egotism. I have endeavoured to avoid *that* ground of offence, whatever may have been my literary sins in other respects. It is proper for me, however, in this place, and for a single purpose, to depart from the course pursued in the body of the work. It is a matter of perfect notoriety, that among the papers left in my possession by the late Colonel Burr, there was a mass of letters and copies of letters written or received by him, from time to time, during a long life, indicating no very strict morality in some of his female correspondents. These letters contained matter that would have wounded the feelings of families more extensively than could be imagined. Their publication would have had a most injurious tendency, and created heartburnings that nothing but time could have cured.

*Memoirs of Aaron Burr, with Miscellaneous Selections from his Correspondence, by Mathew L. Davis, 2 vols. 8vo, New-York, 1837.

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As soon as they came under my control, I mentioned the subject to Colonel Burr; but he prohibited the destruction of any part of them during his lifetime. I separated them, however, from other letters in my possession, and placed them in a situation that made their publication next to impossible, whatever might have been my own fate. As soon as Colonel Burr's decease was known, with my own hands I committed to the fire all such correspondence, and not a vestige of it now remains.

It is with unaffected reluctance that this statement of facts is made; and it would never have been made but for circumstances which have transpired since the decease of Colonel Burr. A mere allusion to these circumstances will, it is trusted, furnish ample justification. No sooner had the newspapers announced the fact that the Memoirs of Colonel Burr were to be written by me, than I received letters from various quarters of the country, inquiring into the nature of the revelations that the book would make, and deprecating the introduction of individual cases. These letters came to hand both anonymously and under known signatures, expressing intense solicitude for suppression.

Under such circumstances, am I not only warranted in these remarks, but imperiously called upon to make them? What other mode remained to set the public mind at ease? I have now stated what must hereafter preclude all possibility for cavil on one part, or anxiety on the other. I *alone* have possessed the private and important papers of Colonel Burr; and I pledge my honor that every one of them, so far as I know and believe, that could have injured the feelings of a female or those of her friends, is destroyed. In order to leave no chance for distrust, I will add, that I never took, or permitted to be taken, a single copy of any of these letters; and, of course, it is quite impossible that any publication hereafter, if any should be made of such papers or letters, can have even the pretence of authenticity.

In the most corrupt stages of the most corrupt literature, we could not point to a more disgraceful passage. What!—Are the matrons of America interested, even to the extent of their reputation, in the accident of discretion in a writer, who thus delicately reminds them, in the face of the public, of the extremity of their guilt, and the magnanimity of his forbearance? On which of the families with which Colonel Burr, a man mingling in all the distinguished society of his time, was intimate or acquainted,—for all such are equally implicated, and would seem to be intended,—does the insinuation of the most extraordinary passage we have quoted presume to rest? The "no very strict morality" in these female correspondents—so numerous as to affect even "families more extensively than could be imagined"—the "injurious tendency" of their letters—and the "heart-burnings" they would create, even still, —the danger that they *might* have seen the light, so darkly shaddowed forth in the precautions which rendered such a contingency only "next to impossible"—the deprecatory letters, "anonymously and under known signatures"—pouring "from various quarters of the country," upon *him* who had the fate of so many in his power,—expressing such "intense solicitude" for the "suppression" of these revolting details—would all seem to indicate an extent and a depth of demoralization, in quarters, until the appearance of this libel, intact by suspicion, and where 'ten thousand swords would have leaped from their scabbards to avenge even a look that threatened with such insult.'

But we may calm our irritation and our fears. The "imperious"

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nature of the case has impressed this gentleman also, and demanded of him a sacrifice, to "set the public mind at ease"—and it has been made—made in such a manner as to "preclude all possibility of cavil on one part or anxiety on the other." These parties, (being the men and matrons of America,) can never be sufficiently grateful. Every vestige of this infamous correspondence has been destroyed so effectually, as to leave the barest possible chance, for the cupidity of an unprincipled publisher, to improve upon the shadowed hint of a surreptitious edition'

We are not reading the confessions of some superannuated Faublas, magnifying to its purchasers, with the sagacity of interested candor, the importance of some suppressed narrative of their enormities—but the memoirs of an American statesman, contemporary with our own day. This language has not been used of the debauched society, of the worst periods of the worst courts of Europe, and we question if it could—but of American ladies in our own day! Comment we scorn to make. La Harpe, speaking of *La Pucelle*, says, "jamais l'impudence du vice et du blasphême n'avait été portée à ce point." We adopt the expression, and pass from the disgusting theme.

Col. Burr's family was highly respectable. His father, who has a place of his own in our biographical records, as one of the most eminent divines of his day, was the first president of Princeton College; his mother was the daughter of its second—the celebrated president Edwards. He was born on the 6th of February, 1756, and his parents died soon after, leaving him and a sister, afterwards married to Judge Tappan Reeve, of Connecticut. Few incidents of his college life are preserved by his biographer. We are told that he was for a time a hard student, and an abstemious liver; but that "during the last year, that he remained in college, he passed a life of idleness, negligence, and in some measure, of dissipation." Some specimens of his juvenile compositions are given, in no respect remarkable. At college, young Burr formed intimacies, some of which ripened into friendship, which, it is honorable to record, lasted throughout life. Some of the youthful correspondence between him, Mathias Ogden, Judge Patterson of the Supreme Court, and others, are among the most pleasing parts of the volume.

In 1774, the letters of Burr and his correspondents give us many interesting glimpses of the premonitory struggles of the revolutionary war, and in July, 1775, after the battle of Bunker's Hill, he joined the army, then lying at Cambridge.

In the fall of 1775, when Arnold undertook to lead an army of patriots through the wilderness, for the purpose of capturing Quebec—the most extraordinary expedition of modern warfare—young Burr resolved to accompany him, and, in spite of every persuasion of his friends, set out with the army. We have, even still, but an

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imperfect idea of this wondrous march. Never was daring resolve carried through all the stages from chimerical absurdity to the nicest chance of conflict, with more devoted courage, energy and enthusiasm. And when, in the depth of winter, the unstoried standard of America waved in hostile bravery before the iron fortress of Quebec, and the snows of a Canadian winter were darkened with an array that had toiled to that battle ground, through an unexplored and arctic wilderness,—even the conquest of Wolfe paled in splendor before the defeat of the hardy revolutionists. Certainly, to one who, like Burr, had seen that handful of devoted men, struggling for a space of sixty days, through savage wastes, enduring every conceivable privation of nakedness and hunger, for the only hope of an eager battle with their country's foe, it might have seemed anything but impossible, thirty years afterwards, to wrest the golden spoils of Mexico from their effeminate possessors, by a march, with even a smaller number of hardy adventurers, of a similar school, beneath a southern sun, and through regions of spontaneous fertility.

Burr was present at the fatal assault upon Quebec, in which the colonies sustained the greatest loss of the war, in the life of Montgomery, who, from all concurrent testimony, appears to have been endowed with those happy qualities which would have rendered him second only to the Father of his Country, had he lived to assist him in establishing its independence. Upon Arnold, after his death, devolved the duty of leading back the troops, and during the march, Burr with characteristic volatility, deserted the army, in quest, as he said, of more active service. On arriving at New York, his connexions and character procured him an invitation from Gen. Washington to reside with him, which he accepted, but soon felt the restraint of that severe and virtuous eye so irksome, that he became restless and dissatisfied, and meditated, even then, retirement from the service in disgust. He was, however, dissuaded by Governor Hancock, who procured him admission into the staff of good old General Putnam, then in command at New York, as aide-de-camp. Here the brilliant young soldier was more at ease. He had exchanged the unrelaxing duty of head quarters, and the hateful vigilance of Washington's sagacious penetration, for the military ease of the simple Putnam's household, and the congenial license of a large city, under martial law.

Burr, nevertheless, appears to have engaged with ardor in the peculiar studies of the soldier, and, of course, soon acquired distinction among his more simple companions, as a tactician and disciplinarian. He was present in the action on Long Island Heights, August 28, 1776, and distinguished himself by his coolness and intrepidity during the subsequent night retreat to New York. In the evacuation, soon after, of the city, Burr's intrepid presence of mind was the means of preventing a detachment of the army, under Gen-

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Knox, from being cut off. In June, 1777, when the army was increased, Burr was appointed Lieut. Col. of Malcolm's regiment, and all the active duty and superintendence of the corps devolved upon him. In September, 1777, in this capacity, he performed the only exploit of his military career. The British having detached a marauding expedition, two thousand strong, for the purpose of plundering the country west of the Hudson river, and capturing the public stores, Burr broke up his quarters, and by forced marches having reached their camp before morning, fell upon their picket with such fury that they retreated in disorder, leaving several prisoners and some dead upon the field, and so alarmed the main body with the fears of a general attack, that they decamped precipitately, leaving their booty behind. In 1777, Burr's regiment, with the rest of the army, wintered at Valley Forge, and in this situation his inauspicious hatred of General Washington seems to have become confirmed. He, of course, adhered to the party of Lee and Gates, and entered actively into their machinations against the commander-in-chief. The following incident, at the battle of Monmouth, June 28, 1778, (which, by the way, is here stated for the first time,—being no where corroborated in the contemporary accounts of the action) seems to exhibit an instance of a spirit of insubordination, and disposition to assume the responsibility of independent action, to the derangement of the plans of the Commander-in-chief, which is by no means redeemed by the gallantry that might prompt the attempt. A slight insinuation of censure, against the latter, is conveyed,—which, however, springing from the exacerbated feelings of Colonel Burr, falls utterly harmless to the ground. Lieut. Colonel *Bunner* is, doubtless, meant as the commander of the Pennsylvania detachment.

"Shortly after the action had become general, Burr discovered a body of the enemy coming from the borders of a wood to the southward. He instantly put his brigade in motion for the purpose of checking them. It was necessary to cross a morass, over which a bridge was thrown. He ordered Lieutenant-colonel Dummer to advance with the Pennsylvania detachment, and that he would bring up the rear with his own regiment. After a part of the brigade was over the bridge, Colonel Barber, aid to General Washington, rode up, and said that the orders of the commander-in-chief were that he should halt. Colonel Burr remonstrated. He said his men, in their present position, were exposed to the fire of the enemy, and that his whole brigade must now cross the bridge before they could halt with any safety. Colonel Barber repeated that the orders of General Washington were peremptory that he should halt, which was accordingly done, and the brigade, in their divided state, suffered severely. Lieutenant-colonel Dummer was killed; Colonel Burr's horse was shot under him; and those who had crossed the bridge were compelled to retreat."

Early in 1779, Burr was appointed to command the lines in Westchester; having a command of about 300 men. The duties of this post he discharged with much vigilance and activity; repressing the predatory habits of the time and place, and restoring order and confidence to the surrounding country. Three months, however, of this kind of service, tired him thoroughly of revolutionary

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warfare, and in spite of a letter from his general, McDougall, in which he was asked with surprise, whether he thought of "quitting the ground when business was to be done,"—he asked, and obtained permission to retire from the service; having been in the army little more than three years.

Soon after his resignation, Burr, then in the twenty-fourth year of his age, commenced the study of the law, and after severe preparation, he was admitted as attorney, in January, 1782, the objections of the bar having been overruled by the court, and his service in the army recognized as study. In July of the same year, he was married to Mrs. Prevost, the widow of a British colonel, an elegant and accomplished lady. The correspondence between Colonel Burr and this lady, during his various absences, gives a pleasing picture of domestic happiness; and while his letters place his character in a favorable light at this early period of his life, they are interesting as specimens of a vigorous and elastic mind, unbending itself from the more engrossing cares of life. These letters worthily occupy a large portion of the first volume.

In the spring of 1784, the political life of Col. Burr, commenced, by his election to the State legislature. After this term, he remained in a private station, until 1788, when the animated discussion, respecting the Federal Constitution, called into full activity every diversity of political sentiment in the Union. Into the exciting discussions of that time, it is entirely unnecessary that we should enter. The anti-federal, since Democratic, party, were far from being opposed to that great instrument, as a whole, but they strained every nerve to popularize its provisions in some important details, and to add to the security of the freedom it guaranteed, by some judicious amendments. As a body, they had emphatically been the working men of the revolution, and were indignant to the last degree, at what they thought was an attempt to impose upon them again, after the toil and blood of a seven years' war, all the oppressive power and cumbrous machinery of government, of which they had so dearly rid themselves. Their opponents, on the contrary, embraced not merely all those attached to prerogative and power, and conscientiously averse to trusting the people, but many who wished quietly to revive, under its enactments, the doctrines and practice of the old régime; and, also, all those who had taken up arms against the Revolution itself, and remained recusants and tories to the last. Consequently the bitterness of feeling, engendered between the two parties, was deep and lasting; and on their first marshalling for the civil conflict, the lines of demarcation were as strongly drawn, as they ever afterwards continued. The Federal party, in the elections that ensued, were led on by men of consummate ability, and made such use of the general dread of a return to the anarchy, weakness, and imbecility of the old Articles of Confederation,

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that they triumphed by very large majorities; but at the election for Governor, in 1789, the Democratic party re-elected their candidate, George Clinton, although the Federalists, with their usual tact, had rallied under the banner of Judge Yates, one of the strongest democrats of the day, and a member of the Convention which framed the Constitution. At this time we find Burr in the ranks of the Federalists, and even an active member of the same committee with Alexander Hamilton. This circumstance, although but slightly noticed by Mr. Davis, was not forgotten by the Democratic party; and, at a more important period of Burr's life, formed a heavy link in the long chain of accusation which so completely manacled his political character. The same party could not, however, contain two such spirits as Burr and General Hamilton. They were already rivals at the bar, and it was probably a hope of eclipsing the political influence of the spoiled child of federalism, that induced Burr to give in his final adhesion to the Democratic party. Governor Clinton did not show himself insensible to the value of such an acquisition, and, forgetting old animosities, appointed Burr Attorney General of the State; and soon after, on the expiration of General Schuyler's term, he was sent to the Senate of the United States, as the one best qualified to oppose the funding schemes of Hamilton, which Schuyler, who was Hamilton's father-in-law, had ardently supported. As a Senator, Burr was by no means distinguished; he maintained, however, a respectable standing in the body, and supported the leading democratic measures with spirit and effect; particularly the opposition to Jay's treaty, respecting which his conduct obtained much applause. He was, however, accused, during his term, of having a continual itching for the Governorship of his State, and with having ineffectually intrigued to procure a nomination for the office in 1792, and again in 1795, in opposition to Judge Yates.

He appears never to have regained the place in the good graces of General Washington, which he lost during the revolutionary war. Washington's sagacity, uprightness, and good sense, were unequalled. He never had the least confidence in Colonel Burr, and his biographer gives the following anecdote, which we quote, as an instance of this, and as too curious an incident in Burr's history, and in that of the times, to be passed over.

"About this period the Democratic party were highly incensed against the President for continuing Gouverneur Morris as a minister of the French Republic. The Executive Provisory Council had requested his recal. He was considered a monarchist, and hostile to the revolution. Many of the Opposition Senators had spoken with great freedom of the policy of General Washington in this particular. These remarks having been communicated to the President, he expressed, informally, a willingness to recal Mr. Morris, and to nominate a member of the Opposition, if they would designate a suitable person. In consequence of this suggestion, the Democratic members of the Senate, and some of the most distinguished members of the House, had a conference, and resolved on recommending Colonel Burr. Mr. Madison, Mr. Monroe, and another member of Congress whose name is not recollected,

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were delegated to wait on the President and communicate the wishes of the party.

General Washington paused for a few moments, and then remarked, that he had made it a rule of life never to recommend or nominate any person, for a high and responsible situation, in whose integrity he had not confidence; that, wanting confidence in Colonel Burr, he could not nominate him; but that it would give him great pleasure to meet their wishes, if they would designate an individual in whom he could confide. The committee returned and reported the result of their conference. The Senators adhered unanimously to their first nomination, and the same delegates waited upon the President and reiterated the adherence of their friends to Colonel Burr. Whereupon General Washington, with some warmth, remarked that his decision was irrevocable; but immediately added. "I will nominate you, Mr. Madison, or you, Mr. Monroe." The former replied that he had long since made up his mind never to leave his country, and respectfully declined the offer. They retired, and reported the result of their second interview. The democratic gentlemen were not less inflexible, and instructed their delegates to say to the President that they would make no other recommendation. On the third visit they were received by Mr. Randolph, Secretary of State, to whom they made the communication, but who considered it indecorous, knowing the President's feelings, to repeat the message."

In 1797, not 1798, as the biographer states, Burr's term as Senator, having expired, he was again elected to the Assembly, and in the same year he was nominated for the Vice Presidency, and received 30 votes for the office; which affords a correct estimate of his standing at that period with the democratic party of the Union, though the circumstance is not mentioned by Mr. Davis. During this term, Burr was justly suspected of indifference, if not duplicity, to his party. His want of interest in the measures of his political associates, and his forwarding indirectly the designs of the Federalists, were matters of subsequent and severe complaint; and he was openly accused of having, by absenting himself from voting, negatively assisted the election of Foote, a warm personal friend, though a bitter opponent of democracy, to the Council of Appointment, certainly, by far the most important party office in the State. When we reflect, that in that body, conjointly with the Governor, was vested the sole power of appointment to all the offices in the State, any mere neglect in a representative, which would have the effect of arming such an influence against his immediate constituents, affords no slight evidence of a want of faithful honesty to his party. He was also accused, and not without grounds, at the same time, of playing into the hands of the Federalists, when the high-handed measures of John Adams spread a universal reign of terror and alarm over the country, by moving for an appropriation of $1,200,000, to fortify the harbour of New York, in the extra session which Gov. Jay called for the purpose of combatting the presidential spectres of French invasion and war. But Burr has left a monument of his legislative conduct at this period, which is peculiary his own, and which, extending to our own times, bids fair to transmit to more distant epochs the impress and the consequences of its paternity. This is the celebrated Manhattan Banking Company of New York; for which he dexterously smuggled a perpetual charter through the Legisla-

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ture, under the pretence that he was providing a supply of pure and wholesome water for the city,—a dangerous power of unlimited banking, limited trading, stock-jobbing, manufacturing, or any other means of obtaining or creating money, being granted to any foreigner or citizen, into whose hands the direction, or the stock might fall, by an artful clause "permitting the surplus capital of $2,000,000," to be employed "in any way not inconsistent with the laws and Constitution of the United States, or of the State of New York." Under this accommodating provision, the astonished public soon saw an extensive and powerful banking institution organized in New York, which continues its beneficent operations of loan and discount to the present time, while the absence of the concomitant benefit of a "pure and wholesome water" has long been the standing opprobrium of the empire city. If we are to believe the newspapers of the time, the creature showed itself liberally grateful for the exertions of its creator, and it was not until the demands of a rising politician had been gratified to the extent of a moderate fortune, that the thankful stockholders were compelled to vote him out of its direction.

In the last year of the last century, a great crisis had arrived in the history of the parties in this country, if not in that of the country itself. The gloomy reign of federalism had brooded like an incubus upon the republican institutions which had been purchased by the Revolution, and the power of the ruling party, by a series of bold and daring measures, had been gradually augmented until it became an insupportable burthen to the people; and an immense majority were convinced that on the election of the successor to John Adams, as dear a liberty as they once had fought for, was involved, and that nothing short of a complete change of executive policy could restore the governing power to the standard of republican simplicity from which it had so dangerously swerved. The history of that time has yet to be written, and a memorable and instructive lesson will it unfold to the Democracy of the country. In sincerest truth, it may be called a time of more dangerous peril to the great American experiment of self-government, and to popular institutions, than the darkest hour of the long contest with Great Britain. Every democrat in the land felt the vital question brought home to him, whether all the great civil and moral results of the Revolution were to be tamely suffered to go by default; and not unfrequently, in the burning discussions of the time, was the indignant question asked, in the words of the Puritan Colonel, Titus, to Oliver Cromwell, "Are we, who would not submit to the Lion, to lie down and be quietly devoured by the Wolf?" Hence, it was that both parties nerved themselves for conflict with a resolution, and fixedness of purpose, which seemed to consecrate effort into the solemn energy of duty, and argued the extremes of utter prostration or of ultimate and lasting victory to either side.

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Upon one man, in that trying time, were the eyes of the whole country fixed with an earnestness of trust and devotion, or of fear and hatred, that placed him in a moral prominence which no mere politician could ever have commanded. And justly did the hearts of his countrymen repose their confidence upon Thomas Jefferson. His principles of liberty, based upon the most generous and expansive benevolence, and regulated by a philosophy perhaps too keen and clear, were never permitted to swerve for an instant from that original purity, and good will to his kind, which he embodied for future worship in the immortal eloquence of the Declaration of Independence. Calm, serious, and unpresuming, the love of the people sought him out in lofty stations, where the new success of those virgin principles had placed him, and found him still the same, undazzled by elevation, and unseduced by power, sincerely endeavouring to carry into effect the mighty purposes which rested upon his soul with all the responsibility of a trust. In the cabinet of Washington, his simple and righteous principles of government were brought into perpetual conflict with adverse influences, and were maintained with a simplicity and truth, that tested fully to the people the value of his character, and his importance to the public weal. In the subsequent administration of John Adams, the honest opinion of a large portion of the Union was, that they had been baulked of their wishes, and during its progress every opponent despaired but himself. Undismayed and unshaken,—in the perilous times, when power sought to entrench itself against the rights of the people by the boldest measures of strained construction and servile legislation, he was found true to himself, and devoutly confident that that "Good Cause" which had survived the dangers of warfare and of anarchy, would not be betrayed by its disciples and its believers, at the solemn crisis of its complete success, into the permanent keeping of politicians who neither acknowledged nor believed it.

Unquestionably the most remarkable historical incident connected with this great political conflict, was the imminent danger which the popular cause sustained of an unanticipated defeat by the desperate and sustained attempt of a political adventurer, who had launched himself opportunely upon the mighty tide of public effort, which was setting in towards regeneration, and had been borne upon its triumphant swell, until the collision of his treacherous selfishness had all but wrecked the noble ark of the Democratic cause, as it was just entering the haven of success. And this is the true claim of Aaron Burr upon history. It is this, coupled with his subsequent attempt, which has given him the place, in the political annals of his country, of an unsuccessful Erostratus; and were it not that the weakness of the attempt, made in the present volumes, to blacken the lustrous fame of Jefferson, and to whitewash into public virtue the insidious duplicity of such a rival, in some degree atones for its

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wickedness, we should be inclined to place the present work among the most dangerous impositions ever attempted upon the credulity of the public.

The first of the statements by which Mr. Davis has hoped to accomplish his purpose, we confess takes us by surprise, and seems to give the authenticity of contemporary evidence to the incredible assertion that Governor George Clinton was a bitter opponent of Jefferson, at the very time he was supporting him with all the immense influence of his party for the Presidency. We request the reader's attention to the assertions marked in *Italics*, in the following extract. Mr. Davis is describing the interview at Colonel Burr's house with Governor Clinton, previous to the election of 1800, at which, he asserts, the assent of the Governor was obtained to have his name placed on the Assembly ticket—and states:

"An imperfect sketch of the scene at the house of Colonel Burr was published in the year 1802, in a pamphlet under the signature of *Aristides*. The following is extracted from it. The note of reference here given is also extracted. Its correctness was never publicly denied by either of the gentlemen named. There exists no longer any reason for concealment on the subject; and it is therefore now admitted that this *note* was written from memorandums made at the time by the author of this volume.

EXTRACT.

'Governor Clinton, however, remained unmoved by the most earnest solicitations; and, with matchless firmness, resisted the arguments of Mr. Burr, who forcibly asserted that it was a right inherent in the community to command the services of an individual when the nature of public exigencies seemed to require it. He was inflexible to the last, and then was nominated and elected without a distinct expression of his approbation. Justice, however, induces me to acknowledge, that the reasons he assigned for the reluctance with which he acted were plausible and potent.

'He explicitly declared that he had long entertained an unfavorable opinion of Mr. Jefferson's talents as a statesman and his firmness as a republican. That he conceived him an accomodating trimmer, who would change with times, and bend to circumstances for the purposes of personal promotion. Impressed with these sentiments, he could not, with propriety, he said, acquiesce in the elevation of a man destitute of the qualifications essential to the good administration of the government; and added other expressions too vulgar to be here repeated. 'But,' said he, with energy, 'if you, Mr Burr, was the candidate for the Presidential chair, I would act with pleasure and with vigor.'*

* "It is so notorious that these were Governor Clinton's sentiments, that it is scarcely necessary to produce authority to prove it. To remove, however, every doubt in the reader's mind, I will refer him to Mr. David Gelston, Mr. John Mills, Mr. John Swartwout, or Mr. Matthew L. Davis, in whose presence these sentiments, and many others more disrespectful, if possible, were uttered. It was at the house of Mr. Burr, who, anticipating the evil consequences that at that critical moment would result from such conduct in Governor Clinton, insisted, before he left the house, that he should promise his friends to desist from using such language previous to or during the election. This was very reluctantly complied with on the part of Mr. Clinton.

'"Notwithstanding this, they were continually reiterated by his son, who publicly and loudly animadverted upon the character of Mr. Jefferson with the most vulgar severity. Similar sentiments were certainly entertained by all Governor Clinton's connexions, as their conduct during the election clearly evinced. Mr. Dewitt Clinton, through the whole contest, never appeared at the poll, but observed the most shameful indifference and inactivity."'

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Here is given an extract from a work, published when those scenes were yet fresh; and Mr. Davis clinches the testimony with his own evidence, as an eye and ear witness, by calling particular attention to the fact, that the note of reference was written from memoranda made at the time by himself ('the author of this volume.') He asserts also, "that the correctness of these statements was never publicly denied by either of these gentlemen," intending altogether to convey the impression that Governor Clinton was inimical to the election of Jefferson, and a believer and propagator of those contemptuous scurrilities against him, which it has been the constant aim and endeavour of his opponents for fifty years to pass off for history or public opinion.

The pamphlet under the signature of Aristides made some noise on its publication. It advanced the same *novelties* five-and-thirty years ago which Mr. Davis plumes himself on bringing forward now—it was an elaborate defence of Burr against the closely fitting charges, with which the press was ringing, of his traitorous collusion with the federalists to place himself in the Presidency, and won for the anonymous author all that applause which extreme boldness of assertion, wielded with dexterity against an adversary, 'from behind a mask' can even still command in political controversy.

As, in some of the editions of this celebrated partisan diatribe, this note of reference was adopted into the text, and printed without any asterisks or typographical distinctions whatever, Mr. Davis, in thus avowing its paternity, has at least done some service to the memory of the author, (well enough understood to have been Judge Wm. P. Van Ness,)—though but little to his own object,—in assuming the responsibility of its veracity. In doing so, he doubtless presumed that, at this late day, it would pass unchallenged, though it would not impose on any one familiar with the controversy of the time. The motive of its introduction is obvious;—if the biographer of Burr could mask his assault upon Jefferson behind the name of Clinton, a high preliminary advantage would be attained, and an unsuspected authority adduced in the warfare against his memory, which seems to be one of the principal objects of the work.

But the chain wants a link to effect its service. His proof fails him;—nay, worse than fails him, is turned upon himself. Aristides' version of Governor Clinton's sentiments, Mr. Davis's strong assertion to the contrary notwithstanding, *did* meet with *prompt* and *indignant denial* at the time. The sagacity of public justice was not so easily duped. "A reply to Aristides" soon afterwards appeared—put forth avowedly by the Clinton party, and so directly by the sanction of its head, that Aristides himself avowed his belief that De Witt Clinton was the "real author,"*—though it was

* An examination of the various charges exhibited against Aaron Burr, Esq., by Aristides, new Ed., p. 45.

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acknowledged by Cheetham. In this pamphlet the same story is quoted, and the reference for its authenticity to Davis, and another, is stated to be unnecessary, for the reason that, as violators of confidence, their "veracity was not to be relied on." It then gives an authorized statement of what Governor Clinton *did* say on the occasion. The account of the interview, there given, is summed up as follows:

"From that language Aristides has fabricated the story already quoted. [That we have given from the life of Burr.] Governor Clinton said nothing of Mr. Jefferson's talents as a statesman,—of these, I have every reason to believe he has the most exalted opinion. Mr. Jefferson has not in the Union a sincerer friend; a more ardent admirer of his administration. Nor did he question his firmness as a republican; of this Governor Clinton is sensible Mr. Jefferson has furnished the most satisfactory and incontrovertible proof. Nor is it *true* that Governor Clinton remarked, as is asserted by Aristides, that if Mr. Burr was the candidate for the Presidential chair, he would act with pleasure and with vigor. He had no idea, at the time, that Mr. Burr aspired to the Presidency; and then, as now, he would be the last to wish him at the head of the government."

We have devoted too much space to an incident so trifling,—but it met us at the threshold of our investigation, and seemed to form a point so imposing in Mr. Davis's exposition, that, from the maxim, *ex pede Herculem*, we could not decline the obligation to exhibit the peculiar quality of the armament with which the biographer of Aaron Burr proceeds to the task of destroying the reputation of Thomas Jefferson.

In the Presidential election of 1800, it is well known, that the republican candidates succeeded. Jefferson and Burr, each received seventy-three votes,—John Adams, 65,—Pinckney, 64. An equality, however, was not anticipated,—still less was the consequence to which it led. In the original plan of the campaign, it had been intended that one of the southern electors should drop Burr, so as to prevent what, as was anticipated, would be the worst consequence of an equality,—the mere formality of a House election. But as the report had been purposely circulated that Burr had been, or would be, dropped by two electors at the north, and as the balance of parties was too nice to permit the hazard of another elector doing the same, he was retained, and thus was the very result produced which the republican party was so desirous to avoid. No sooner was it ascertained that Adams and Pinckney had lost their election, and that there was a tie between Jefferson and Burr, which would of necessity bring the election to the House, than the Union was filled with intrigues. The Federal party hung their hopes upon the trial with the desperate tenacity of a gambler, who finds he may have another chance for all or nothing, after his game has been lost. From that moment Burr grew into consequence. To use an extraordinary simile of Curran's,—'becoming buoyant by corruption, he rose as he rotted,' and soon

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had all eyes directed to his movements. He was the centre and sole object of all these intrigues. Needy, selfish, unsteady, and ambitious, a dazzling prize seemed presented to his grasp. Success would place him above the reach of the betrayed; defeat would but leave him as he was. Aaron Burr was not the man to resist the temptation. The defeated federalists felt their hope of empire revive, as they concentrated round the infatuated man, who foresaw not the necessity of fate, that would inevitably make him the victim, if he became the tool.

We have often thought that there was no period of Jefferson's whole career, in which he showed to more advantage than in this trying time. Heated as was the occasion, with more than furnace power, his character passed through the fiery ordeal, unhurt as the children of holy writ. Self-confident as serene, we find him at one time writing to his rival, unelated in the universal confidence of being the people's choice; and again, when the political horizon was overcast, to all the country besides himself, with portentous gloom, and men grew dark, as the muttered purpose of a new treason was first noised abroad,—his confidence was cheerful, since the alternative of his own rejection, was still a republican administration.* He was superior to defeat,—and never merited political success so well, as when he seemed on the point of being deprived of it,—and by a casualty he could never have foreseen.

We have no intention here, of re-opening, with Mr. Davis, the question of Mr. Burr's participation and connivance in the intrigues of which he was the object. No public topic of interest in the party or personal annals of our country was ever discussed with more keen and earnest scrutiny,—with a more resolute sagacity of justice, —with a more persevering spirit of unresting vigilance,—but, we may say, of the present argument in the controversy, that if ever the character of the man, giving confirmation strong as holy writ, to the most powerful mass of presumptive evidence ever produced against an unconvicted criminal, permitted us to have a doubt on the subject, the perusal of the present work, written by a confidant of every transaction, would have replaced it with complete conviction.

We request the attention of our readers to the following extract from Mr. Davis's account of this exciting contest. We will certainly give it the merit of being as new, as it is an astounding charge against Mr. Jefferson's conduct, in this remarkable election. The passage is much too long for our present limits, but in justice to the great interests of truth involved, we cannot omit a line:

'The Aurora of the 16th of February, 1801, remarks, that "the tellers declared that there was some informality in the votes of Georgia; but, believing them to be true votes, reported them as such." No explanation of the nature of this informality was given; nor is it known that any has ever been given since. Had it been an-

* Jefferson's Works, vol. 3, p. 444. Do. Letter to Judge Breckenridge, vol. 3, p. 446.

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nounced at the time, there can be no doubt it would have proved fatal to the election of Mr. Jefferson. Whether the interest of our country would or would not have been thereby promoted, is not a question for discussion here.

By the Constitution of the United States, at that time, it was provided, Art. 2, sec. 1, "The Electors shall meet in their respective States, and vote by ballot for two persons,—of whom one, at least, shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each,—*which list they shall sign and certify*, and transmit, sealed, to the seat of government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open *all the certificates*, and the votes shall then be counted. The person having the greatest number of votes shall be President, if such number be *a majority of the whole number of electors appointed;* and if there be more than one who have such a majority, and have an equal number of votes, then the House of Representatives shall immediately choose, by ballot, one of them for President; and if no person have a majority, then from the *five highest* on the list the said House shall, in like manner, choose the President. But, in choosing the President, the votes shall be taken by States,—and a majority of all the States shall be necessary to a choice."

'From the above extract it will be seen that the Constitution is imperative as to the *form* and *manner* in which the electoral returns are to be made. The ceremony of opening was performed in the presence of the two Houses. The package of a State having been opened by the Vice President, it was handed by him to the tellers. Mr. Jefferson was the presiding officer. On opening the package endorsed Georgia votes, it was discovered to be totally irregular. The statement now about to be given is derived from an honorable gentleman, a member of Congress from the State of New York during the administration of Mr. Jefferson, and yet living in this State. He says, that Mr. Wells (a teller on the part of the Senate,) informed him that the envelope was blank; that the return of the votes was not authenticated *by the signatures of the electors, or any of them, either on the outside or the inside of the envelope, or in any other manner;* that it merely stated on the inside, that the votes of Georgia were, for Thomas Jefferson *four*, and for Aaron Burr *four*, without the *signature of any other person* whatsoever. Mr. Wells added, that he was very undecided as to the proper course to be pursued by the tellers. It was, however, suggested by one of them that the paper should be handed to the presiding officer, without any statement from the tellers, except that the return was informal; that he consented to this arrangement under the firm conviction that Mr. Jefferson would announce the nature of the informality from the chair; but, to his utmost surprise, he (Mr. Jefferson) rapidly declared that the votes of Georgia were, *four* for Thomas Jefferson, and *four* for Aaron Burr, without noticing their informality, and in a hurried manner put them aside, and then broke the seals, and handed to the tellers the package from the next State. Mr. Wells observed, that as soon as Mr. Jefferson looked at the paper purporting to contain a statement of the electoral vote of the State of Georgia, his countenance changed, but that the decision and promptitude with which he acted on that occasion, convinced him of that which he (a federalist) and his party had always doubted, that is to say, Mr. Jefferson's decision of character, at least when his own interest was at hazard. Mr. Wells further stated, that if the votes of Georgia had not been thus counted, as it would have brought all the candidates into the House,—and Mr. Pinckney among the number,—Mr. Jefferson could not have been elected President.

The same honorable member of Congress further stated, that some few years after receiving the above information from Mr. Wells, he became intimately acquainted with John Nicholas, who was one of the tellers referred to, and who had removed from Virginia into the western part of the State of New York. Mr. Nicholas gave the honorable member the same statement in substance, not knowing that it had been previously derived from Mr. Wells. Mr. Nicholas was a warm personal and poli-

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tical friend of Jefferson, and declared that he never felt so astounded in his life as when he discovered the irregularity. He claimed some credit for the adroit manner in which he had managed Mr. Rutledge, so as to obtain his consent to hand the paper to Mr. Jefferson, without public explanation from the tellers, and which was effected by a conciliatory appeal to the magnanimity of the member from South Carolina.

The whole number of electoral votes given at the election in 1800, was *one hundred and thirty-eight:* necessary to a choice, *seventy*. Mr. Jefferson and Mr. Burr had each, according to the return made, *seventy-three*. Georgia gave *four* votes. If that number had been deducted from Jefferson and Burr, as illegally returned, of which there is no doubt, they would have had only *sixty-nine* votes each; consequently they would not have had, in the language of the Constitution, "a majority of the whole number of electors appointed," and the candidates out of which a choice of President must be made, would have been Mr. Jefferson, Mr. Burr, Mr. Adams, and Mr. Pinckney. The federal members would then have said to the republicans, we will unite with you in the choice of either of the gentlemen presented to the house except Mr. Jefferson; and if the government is to be brought to a termination by our failure to elect a President, the responsibility will be on you. And it is believed, that in such a case the *doubtful* members who were sighing for office, if any such there were, would have rejected the suggestion in toto.'

Here, then, we have a narrative, minutely circumstantial, of the most serious crime ever laid to the charge of a public culprit,—and from deliberate testimony, Mr. Jefferson must be branded, in the list of American Presidents, as an usurper and a cheat. Sixtus the Fifth placed the tiara on his brow by a bold manœuvre of resolute ambition,—and the wondering historians of his time join in admiration at the successful energy of his conduct;—but the severer virtue of a republic could not screen even the most favorite character of her children from the eternal infamy of such an act as this. How then shall the friends of Jefferson defend his character from an assault so fatal. The answer is simple indeed,—the entire superstructure, argument, inference, and all, has not even the semblance of truth for its foundation. In no particular, or circumstance, is the allegation of this historian true,—in the letter or the spirit. The votes of Georgia *were* authenticated by the signature of the electors, both on the outside and the inside of the letter,—and the minutest scrutiny cannot detect a single discrepancy, or the omission of a formality prescribed by the wording of the law.* What, then, are

* Let the reader compare the document itself (preserved in the archives of the Senate) with the description of it by Mr. Davis. The following is in all respects a literal copy:

GEORGIA EXECUTIVE DEPARTMENT,
Louisville, December 3, 1800.

List of voters and electors on behalf of the state of Georgia, authorized to vote for a President and a Vice President of the United States, under the Constitution, and an Act passed and approved March 1st, 1792, entitled, "An Act relative to the election of a President and Vice President of the United States, and declaring the officer who shall act as President as in the case of vacancies in the offices, both of President and Vice President:

Genl. John Morrison, of Burke,
Dennis Smelt, of Richmond,
Henry Graybill, of Hancock,
David Blackshear, of Washington.

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we to think of a writer, who undertakes to handle grave questions of disputed history, and brings forward, among his most serious evidence, such trash as this. So thorough is the contempt which such conduct cannot but awaken, that we would feel justified to our readers by passing over every other statement on a new point of history which he has made, as unworthy of examination, after an instance so indecorous of want of judgment, if not want of truth.

But we find this already long article grows upon us. In going over the ground so far, we have been compelled, from the necessity of our limits, to omit many points of interest,—and our notes for the remaining portion of the book are so numerous, that we must altogether omit extended notice of the stormy scenes of the Presidential election. No historic doubt now rests upon the question, that the iron firmness of the democratic party, at that time, saved the country from a dangerous extremity, which can never occur again. For seven successive days and nights from the 11th to the 17th of February, 1801, was this extraordinary excitement kept up,—the republicans adhering with inflexible firmness to their duty, in voting for Mr. Jefferson,—and the federalists as constantly, though not as resolutely, during the same period, continuing to vote for Burr. This party, conscious of the weakness of their cause, and desperate in the prospect of the political annihilation which awaited them, in the event of Jefferson's success, hesitated at no means to avert their

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Certified to be a true list of the electors of Georgia, under the direction of the Legislature of that State.

Witness my hand, and the executive seal of the State at Louisville, the day and year above mentioned.

JAMES JACKSON, *Governor*,

Test.—

THOMAS JOHNSON *Secretary*. [Seal.]

On the other side of the sheet, the 3d page,) the votes are given as follows:

THOMAS JEFFERSON.	AARON BURR.
JOHN MORRISON,	JOHN MORRISON,
DENNIS SMELT, M. D.,	DENNIS SMELT, M. D.,
HEN. GRAYBILL,	HEN. GRAYBILL,
DD. BLACKSHEAR.	DD. BLACKSHEAR.

The seal on the outside, still in good preservation, is of red wax, bearing an *arm coupé* with a scimetar drawn,—and the motto, "Fiat Justitia," and corresponds exactly with that, in wafer, in the inside of the document. The duplicate copy is in all respects similar to the one examined.

The direction on the outside is as follows:

THOMAS JEFFERSON, *Vice President of the United States, and President of the Senate.*

We do certify the within to contain the votes of the electors, on behalf of the State of Georgia, for a President and Vice President of the United States.

JOHN. MORRISON, HEN. GRAYBILL,
DENNIS SMELT, DD. BLACKSHEAR.

The letter is post-marked Dec. 3.

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fate. In the beginning of the contest they passed a resolution that the balloting should be continued without the adjournment of the House,—with a view to make it a mere trial of physical strength, and exclude Mr. Nicholson, a republican member from Maryland, who was confined to his bed by sickness,—and whose absence would have given the vote of Maryland to Burr. But this, eventually, was an efficient means of their defeat. With a feeling worthy of the best days of Greece,—during a heavy snow storm, the invalid had his bed removed to the Capitol,—where, attended by his faithful wife, he remained during the protracted struggle, depositing his vote in every ballot, and had, finally, the satisfaction and reward of seeing his devoted firmness the means of giving the unanimous vote of his State to the man of the people. Thus, finding there was no probability of shaking the republicans, who, in each of the thirty-six ballotings, gave the vote of eight States in a solid phalanx to Jefferson, the federalists gloomily surrendered. The four members from Maryland, and the one from Vermont, of that party, who had divided the vote of their respective States, putting in blanks,—and thus permitting their opponents to make up the number of ten for their candidate. During the whole period Jefferson never received a federal vote, nor Burr a republican one,—and that entire party, indignant and disgusted at the open attempt of the federalists to defeat the clearly expressed will of the majority, naturally directed their attention and suspicious scrutiny to the conduct of one of their own candidates, who had been made such a signal instrument in the conspiracy to overthrow them. Circumstances in the previous part of Burr's political course, and his general character for subtlety and intrigue, lent a color to these unfavorable impressions, which, in the progress of the virulent discussion that ensued, were completely verified, by a moral certainty of proof convincing to every rational mind. It is certain, that from the effects of that discussion Burr never recovered. Long before the close of his term, as Vice President, it was perceived that his office alone prevented him from sinking into utter insignificance; and his return to private life was a return to an ignominious obscurity, and political disgrace, from which he never emerged, but to the darkest notoriety of imputed crime.

We entirely acquit ourselves of the necessity of going over this controverted ground, step by step, with Mr. Davis. We have shown what reliance may be placed upon the only *new facts* bearing upon this discussion, which he has advanced; his remaining evidence, though more authentic, wants the important requisite of being the *whole* truth. He makes one incautious mis-statement, before examining the specific charges against Burr, of collusion with the Federalists, viz: that the contradictions, *he* now introduces, 'rarely ever met the public eye except through the federal newspapers.' On the contrary, the letters of denial now brought forward, with an air of clos-

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ing the controversy in triumph, were all published in the democratic papers of the day, and were made the subjects of a scrutiny so searching, they but confirmed what they were designed to overthrow. The nature of the case forbade the possibility of proving the various allegations with judicial exactness; but, no one can calmly read the voluminous statements which were brought forward on both sides of the question, without feeling that the dark stain had been fixed upon Burr's political honor, beyond the power of removal, and that his party fealty had been tampered with and betrayed. The statements respecting the suppression of Wood's History, need not now be examined, as having no farther connexion with the subject, than their effect in directing and concentrating attention to the heavier accusations against the character of the Vice President. Wood was a weak and vain creature, and though of good attainments, perfectly venal;—and had his miserable production come before the world on its own merits, it would never have been heard of. But it certainly was an exciting and suspicious circumstance that a prominent leader of the Democratic party, enjoying their second highest office, should privately have agreed to pay a large sum for *suppressing* a history of the men and measures so justly odious to them, as a body, and of which the widest promulgation could not fail to exercise a salutary influence on the popular mind;—but before the excitement of the transaction, with the book, had died away in its own absurdities, the press and the public mind were completely engrossed in the earnest discussion of the far more important question which had, in a manner, grown out of it, whether the Vice President was not politically treacherous and unsafe, and had not actually connived at, and encouraged, that deliberate attempt in the House of Representatives, to set aside the election of Mr. Jefferson, in his own favor,—an attempt which was universally regarded as the most flagrant outrage on popular rights, since the adoption of the Constitution; and as a disgraceful effort to obtain an office never intended for him, by means, which, in his case, would have been clearly, at the best, a legislative usurpation.

The enumeration by Mr. Davis of the grounds of suspicion against Burr, is not complete;—we will add a few in addition to the catalogue he has vouchsafed us. He was accused of a systematic design to effect this purpose, from the time of his nomination as Vice President, on the same ticket with Jefferson, and even that nomination, it was asserted, though, we think, on insufficient grounds, he obtained by undue means to the exclusion of Governor Clinton. He was believed to have impressed his views on Mr. Lispenard, one of the electors for New York, and the suspected foul play was prevented by the device of General Floyd, the Chairman of the Electoral College, and Mr. Pierre Van Cortland, who playfully insisted on *writing* the ticket for each elector. Had Jefferson been dropped by a single

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elector, Burr would, of course, have been made President by the primal vote. So that the importance of this obscure incident is immense. Yet it was directly charged in a letter addressed to Burr himself, which appeared in the American Citizen. It is obviously, however, insusceptible of direct proof, and is inadmissible as evidence—beyond the fact established by it, that such a suspicion was then entertained and provided against, even by the little piece of management mentioned.

The specious letter of Burr to General Smith, on which so much stress is laid by Mr. Davis, it was said, was intended to lull the Democratic party by false professions,—and the proof was distinct that Burr knew, when he wrote it, the equality of votes between himself and Jefferson.* An article published as a commentary on it in the Washington Federalist of January 1, 1801, certainly shows that it was considered by that party as an indirect adherence to their schemes by Burr. That article began thus: "There was inserted in yesterday's Federalist, a letter from Colonel Burr, which we venture to predict can be conceived in no other light than as an additional evidence of his fitness to fill the Presidential chair."

It then goes on with a train of argument to prove that the vote of the electors, without reference to previous considerations, presented *both* candidates on an equal footing to the House of Representatives, and ended thus, "Colonel Burr ought not consistently with the principles he has confessed by his proxy, General Smith, to interfere, in any manner whatever;"—and this was precisely the cue on which Burr acted during the election.

The excited controversialists of the time, exposing its flimsy professions, addressed the following language to Colonel Burr, of which it is impossible not to perceive the force.

"But, sir, if you had meant with sincerity to 'disclaim all competition with Mr. Jefferson,' it was of a nature so equivocal as to be inefficacious. Had you 'really meant to disclaim all competition with Mr. Jefferson,' there is one way, which must have been obvious to yourself at the time, in which you might have done so effectually.

"You ought, sir, to have said 'it is evidently the wish of the people to place Mr. Jefferson at the head of the Government; and it is probable, from the usual conduct of the federalists, that, to disappoint the people, they may attempt to place the administration in my hands. I should cordially contemn so improper an act. I will never accept it from them. Should they by menace or by intrigue, by force or by fraud, be enabled to commit the Executive power to my guidance, I *will instantly resign it to him to whom the people have exclusively allotted it.* I accept no office contrary to their will."

But, sir, it did not exactly suit your views to be thus explicit, you *did* mean to counteract the wishes and expectations of the people," &c.

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* The letter announcing this equality was published in the American Citizen of December 16, and was received in New York, by Swartwout, the day before. It was written by Timothy Greene, said to have been Burr's emissary. The letter to General Smith is dated December 16, 1800.

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Timothy Greene's denial, page 91, of being an agent of Burr's to secure his election in South Carolina, and that of Mr. John Swartwout, of having been the medium of transmitting his communications to Burr, were proved, after their publication, to have been the merest evasions of the substantial accusation,—Greene *having* warmly interested himself, as charged, and his information *being* sent to Mr. Swartwout himself, *directly*,—instead of to Burr, in the form of letters, under cover to him. We have mentioned already that the final news of the result of the South Carolina vote, after which Burr's letter to General Smith was written, reached New York from Mr. Greene through Mr. Swartwout.

The fact of conferences between Burr and the Federalists respecting the election, rests upon strong evidence, the real merits of which the denial of Ogden and Livingston, published by Mr. Davis, does not touch. It was first directly asserted on the authority of two resident and highly respectable clergymen of New York, Dr. Linn and Mr. Abeel, and Burr was so conscious of the importance of their evidence, that he sent to them a request that they would sign for him a written form of certificate, to the effect that they had the information from "common report." This they refused, on the ground, that they knew it from particular information, not from "*common report.*"* Had they put their names to such a declaration, we should no doubt have had it here, along with the rest of Mr. Davis's evidence to settle the question. A letter was also received in New York by a leading democratic gentleman, from a distinguished member of Congress in Washington, giving full notice that such an intrigue was on foot, and desiring them to put the Jefferson party on their guard. This letter was dated January 29th, 1801, and mentioned, among other things, that the information was received at Washington, by a letter from a leading federalist in New York, addressed to a member of Congress in that city, and that Mr. Ogden was deputed to ascertain Burr's views in the matter. Ogden did see Burr on the business, as he acknowledged in his letter to Irving; and the "leading federalist" was said to be General Hamilton. The name of the writer of the letter was withheld when it was published in the American Citizen, for fear lest it might produce a duel between him and Burr. When the controversy, however, waxed hot, it was announced by Denniston and Cheetham, that the writer's name would be given up, on the application of General Hamilton, or on his public denial of having written such a letter. This was on the 11th of December, 1802. The paragraph from the Evening Post given by Mr. Davis, page 94, (amounting, at best, to nothing more, than that Hamilton had not "personally" knowledge of the negotiation,) was published the 13th of October previous. Mr.

* Cheetham's Nine Letters on the subject of Aaron Burr's political defection. A letter to a friend on the conduct of the adherents of Burr, page 66. Aristides, page 82.

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Davis does not give any denial from Hamilton, dated after this remarkable publication two months subsequent,—which was again still more formally repeated in the fall of 1803, and Burr challenged to the test of requiring a public denial from Hamilton of the fact. The letter of Dr. Irving, and Mr. D. A. Ogden's reply, published by Mr. Davis, page 95, were in like manner made the subjects of very searching scrutiny and criticism by the Democratic press. They were shown to have artfully, but completely, evaded the points at issue, and were pronounced "gross impositions on the public." The history, too, of Edward Livingston's certificate, page 97, is withheld. Livingston was a Member of Congress, and was said to be the gentleman to whom Burr had referred the "Federal negotiator," for an explanation of his views. This certificate, which merely states, that Burr held no communication with him, inconsistent with his letter to General Smith, was given to Burr on his own solicitation, and was dated July 27th, 1802, when the publication of the "View" had directed general attention to his conduct,—but was not published until April 24, 1803, when it leaked out in the Evening Post, on the last day of the New York election, and was circulated in handbills and placards all over the city. Mr. Livingston was then Mayor of New York, and promptly published an explanation,—in which he did away with the impression created by that use of his certificate; denying that he had ever given Burr authority to refer any one to him "for an explanation of his views or wishes respecting the Presidential election," but also stating, that a "Federal gentleman" *had* called on him, to whom he made the same remark, and explicitly avowed his intention to vote for Jefferson, and his belief that a majority of the electors would do the same. Coupling this with the unsatisfactory nature of Ogden's visit to Burr, as expressed in his letter to Irving, the inference is very strong, that Burr,—whose reputation for address, would seem abundantly verified by the skill with which he managed to have the chances of his position tested, to the fullest extent, without direct personal implication,—was not unwilling that the arguments of the "Federal negotiator," should be tried upon Livingston, who could have materially influenced the vote of New York in the election; and therefore directed the negotiator to open the subject to him, and sound him on the probability of New York's supporting Burr, in the contest. Mr. Livingston would not, therefore, permit his certificate to be used, without explanation, to exonerate Burr from all implication of, at least, having suffered himself to be tampered with.

The letter of Mr. John Swartwout, page 98, is the last exculpatory evidence brought forward by Mr. Davis. This was also demolished at the time in a very able letter addressed to Swartwout, published in the American Citizen, and afterwards embodied in a pamphlet form with Cheetham's Nine Letters. It was replied to by Mr. Pennington,

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in answer to whose charges it was written, in the Evening Post, and it was fastened upon Swartwout, that he *had* written letters, advising the election of Burr, "*rather* than have *no* President"—and which were followed up immediately by other letters from Mr. William P. Van Ness, advising the election of Burr "*at all events.*" *

But while adducing evidence to disprove the fact of Burr's intriguing with the Federalists, why has not Mr. Davis contradicted that of Alexander Hamilton, himself,—*haud sordidus auctor veri*,—who, it was repeatedly charged, had said openly at Albany, in the presence of Josiah Ogden Hoffman, Judge Troup, Judge Brockholst Livingston, and Judge Pendleton, that Burr had negotiated or intrigued with the Federalists for the Presidency, and that it could be proved in a court of justice? This rests upon the explicit authority of Judge B. Livingston himself, who stated it, for publication, to the Editors of the Citizen,—certainly a much better authentication than written certificates, in general and artfully constructed phraseology.

But it were a task as useless as it would be fatiguing and uninteresting, to go into all the details of this obsolete controversy. We have touched upon it only because Mr. Davis has assumed the enormous improbability that the whole was the result of a conspiracy—false and calumnious, got up by Mr. Jefferson, and waged to consummation by him and his partisans, for the purpose of destroying Burr. Some sentences of dark eloquence are wasted on this postulate, which is as perfectly wanton and gratuitous, as several of the other assertions of these volumes, relative to this matter. Without reference to the merits of the case, Jefferson was no way instrumental in bringing on, or in any manner accessary to the continuance of, this embittered, and, to Burr, fatal controversy. It had no features of preconcert or conspiracy, and far from having originated in secret, or from influencing a community ignorant of Burr, it was begun by those who had known him from his youth, and who had marked every step of his political progress. It was waged and it died away under his own eye; in the midst of ardent and able friends, who defended inch by inch the honor of their chief. It was throughout confined almost entirely to New York, and extended only to other States from the interest which both parties might be presumed to feel in a controversy so deeply affecting the character of an officer, and a politician, so distinguished as the Vice President. The struggle was not in any shape or form between Jefferson and Burr, but between the Clinton party and the Burr party of New York; and while this embittered paper warfare, was going on all the wrath and indignation of Burr's friends were directed against the adherents of Clinton, and protestations of undiminished respect and attachment to Jefferson were freely used even by the warmest par-

* On this point see "Aristides," (now known to have been written by this gentleman,) and no doubt will remain as to his having written such letters.

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tisans of the Vice President, to defend him from the charges of political defection brought forward by the unsuspected branch of the Republican party.

The devotion of Mr. Davis to Colonel Burr's interest then, excites surprise at his present hardihood. Even at that early period it was sufficient to gain for him the appellation of being his "bosom friend," "familiar," and "tool," in all the intrigues of which he was suspected, and his activity and zeal in furtherance of his patron's advancement to the Presidency was sufficiently prominent to procure him warm notice in the publications the design gave rise to. Mr. Jefferson's refusal to gratify his hopes of a lucrative office, in New York, and the gay young man's dashing pursuit of the President to the shades of Monticello, in quest of it, are personal episodes in the history of the period, which may be revived without stain from the disrespectful language in which they are recorded, as contemporary evidence that there was, at least, one period of his life, when the biographer of Burr did not think Jefferson quite so bad as he now represents him—and that his enmity to him originated in a sufficient cause. The zeal and activity, if not the discretion, with which he advocated the elevation of Burr to the Presidency, were conspicuous at the time; and that, too, by the very means which he now seems to think so disgraceful to his memory, and labors with so much effort to disprove, as a criminal stain upon his character. But the convenient Lethe, in which his own recollections of the matter seem to have been steeped, should have been applied to every history and remembrance of the event, before he made his calculations for success in his defamation of Jefferson.*

* We insert the following extract from a publication of the time, as a commentary on the admirable qualifications of Mr. Davis, to be the historical arraigner of Jefferson in this matter, and the vindicator of the innocence of Burr, at his expense.

"At the same time Mr. Burr's devoted tools were not idle in the city of New York. A young man of the name of Matthew L. Davis,—so remarkable for his chattering, that it has always appeared strange that Mr. Burr should trust him with his secrets,—this youth flew about the streets like a shuttlecock thrown from the hands of his master, declaring that after the first or second vote in the House of Representatives, the Republicans ought to give up Mr. Jefferson, and join the Federalists, to elect Mr. Burr. He declared it as his opinion, that any other policy would be extremely injudicious. In the true federal tone, this wise and discreet youth observed, that the two Republicans had an equal number of votes, and that this fact showed that the country had no choice between them. Besides, ultimately, he said the Republicans must give way, and a too great obstinacy would only injure the feelings of Mr. Burr, which might produce disagreeable consequences, as he would undoubtedly, at the end, be President.

"It may be proper to apologize for having taken notice of this miserable instrument of a wretched principal. But being in the confidence of Mr. Burr, and known to circulate his opinions, it was necessary, in order to develope the nature, and, in some degree, the extent of the plot."—*A View of the Political Conduct of Aaron Burr, Esq. &c. New York*, 1802. page 48.

A little farther on the same writer gives an amusing account of Mr. Davis' journey to Monticello in quest of an office, which ends as follows: "Such was the quixotic expedition of our little expectant! Davis has ever since been an open opponent of the Administration."

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The obscurity of nearly forty years has settled upon these transactions. Most of the actors in them, and all in whom they could have reanimated the bitterness of personal feeling, have passed from the stage of life, but their opinions went to form one of the settled results of history; and if Aaron Burr, in the full tide and triumph of his popularity, under the most favorable circumstances for exercising his great talents and commanding influence, fell from his proud position, irretrievably prostrate from the withering effects of a free and fearless discussion, the hope is vain, indeed, at this distance of time, and with such materials, to wash the Ethiop white, and to make the public believe that one of the greatest of American statesmen forged his claim to the proud confidence of his contemporaries, and should now be stripped of all title to the grateful remembrance of his country.

Our readers will have found in the preceding narrative a faithful sketch of the public services of Colonel Burr, up to the period when the Presidential election of 1801 gave his character to history. Though we have not always followed Mr. Davis as a guide, we presume its correctness will hardly be impugned. The latter portion of his life has nothing to detain us. In 1804, when he was hopelessly repudiated by the Republican party, and even stigmatized by the Federalists as a Cataline, there was enough left of a name and character once so influential, for a considerable number to ground a hope of founding a party of their own, under his auspices. He was accordingly run for Governor in opposition to Morgan Lewis, but want of success was foreseen from the commencement. It was during this contest that that second great event, for which he is darkly conspicuous in our annals, occurred, in the tragic death of Hamilton, which seemed to precipitate him upon his destiny—by foreclosing against him for ever the sympathy of the opposite party, who mourned their favorite as a martyr. This work throws no new light upon this transaction, and hurries over in like manner the last memorable event of Burr's career, his too celebrated treason. We will not join issue with Mr. Davis respecting the event. The verdict of the Court was "not guilty," and there is nothing in the subsequent career of the acquitted criminal to make his country repent the lenity of his jury. The additional charges against Jefferson which Mr. Davis makes this trial the means of bringing forth—we have not now the space nor even the inclination to examine. They have been refuted again and again.

We have now done with Mr. Davis;—neither as illustration of history, nor of character, does his work possess the least merit. It has added nothing whatever of good to our former knowledge of Burr or his times, and even the great abundance of evil with which it is saturated, is nothing more, as we have shown, than a *rifacciamento* of the slanders of a wretched pamphlet war, which died away too

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thoroughly after their first appearance to excite the least apprehension of permanence or effect, as respects the fame of Jefferson, from their present unhallowed revival.

A few moments more to Burr's character, and we have done.

The fortunes and the fate of Aaron Burr form, altogether, in his rise, his triumph, and his fall, one of the most impressive lessons in the history of a popular government.

Under other circumstances and in a different state of society, his peculiar endowments and qualifications were such that he might probably have taken rank in history, among the herd of 'great men.' Of brilliant talents,—a mind, bold, clear, and sagacious,—and an address singularly winning and attractive, he could have made himself conspicuous in any country or period, but was peculiarly fitted to distinguish himself in times when society, resolved into its original elements, left every character, without any adventitious obstacle or aid, to find its own level, and form its own support. Burr was thrown into relief strongly by the times in which he lived. His abilities and energy invested with a warmer interest than their own, the subordinate and somewhat insignificant services, in the war of Independence of a volatile and eager youth, who retired from the army long before its completion. The same qualities, aided by his position in society, gave him influence as a politician, when the people of this country were in the first noviciate of the labors and duties of self-government, and the pretensions of public men were examined with less scrutiny, and yielded to with more readiness, than when experience and necessity had taught them circumspection. As a politician, his strongest characteristic was his selfishness—he had no steady or guiding principle, by which to regulate his conduct or opinions, and this instinct led him to adopt the course which promised the easiest attainment of his immediate object. This also made him reserved, and as a necessary consequence, the people became, in turn, distrustful. He had none of the eloquent candor, which makes purpose clear as action, and wins the confidence of friends, and the respect of adversaries, from the mere absence of all guile. By the inverse ratio Burr was, in an eminent degree, attractive in private life. He shone in the drawing-room; for there manner was omnipotent, and tact, and grace, and honied words, could accomplish, what only lofty integrity and great actions could do in public life,—win him the applause and distinction that he coveted. But even in his personal conduct, that want of principle, which was his bane as a politician, degraded him into a libertine and a voluptuary. The selfish gratification which was his object, found the price of pleasing in indulgences, for which honor, reputation, and morality, were sacrificed without a scruple. No man was ever socially more corrupt. "In his intercourse with females," says his biographer, "he was an unprincipled flatterer, ever pre-

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pared to take advantage of their weakness, their credulity, or their confidence. She that confided in him was lost. In referring to this subject, no terms of condemnation would be too strong to apply to Colonel Burr." Strong language, indeed, but which would be borne out by the personal testimony of all who knew him. The qualities which made Burr restless and intriguing as a politician, were well calculated to give him success in his profession as a lawyer; the reputation of lofty character, he could not win in any pursuit. There,—as the science of law has always, unfortunately for mankind, been practised,—wiles, address, and assiduity, directed with sagacity and promptness, could hardly fail to effect their object. His practice, in consequence, became lucrative and extensive. He had, however, no weight as a lawyer, and the most remarkable instance of his success recorded by his biographer, was accomplished by a disreputable artifice,* which could never have been practised, still less exulted in, by an honorable mind.

As a politician, he rose with great rapidity. There was a something in the mystery of his conduct calculated to impose upon, perhaps awe, minds less acute and active than his own. The *art* of *management* alone achieved for him the wonders of political weight and personal importance. He was invaluable in arranging the plan of a legislative campaign, or an election contest; and his importance to his party, became, in consequence immense. It was not of a kind, however, to extend beyond the sphere of his endeavours—and while his personal influence and popularity were, at one time, probably higher in his own State than that of any other man except Hamilton—unlike him, he was scarcely known throughout the Union. The nomination to the Vice Presidency was given to the State of New York, not won by Burr. The progress of that election furnished opportunities, calculated to bring every latent quality of Burr's reckless and unprincipled character into action. He was by that contest placed in circumstances, where chance could bring within his grasp that dazzling prize, to which in other circumstances men could only look, as a reward of great services, or in the triumph of mighty principles—to be achieved by years of patient struggle, and to constitute a national success. There was nothing beyond that for an ambitious wish, and his specious philosophy too surely taught him that success would consecrate the means. In failing he lost all. The outrage against public principle was not less flagrant in the attempt, than it would have been in his success, and his political fate was sealed. The possibility of a public man colluding for an end, centering in himself with adversaries, against whom the whole party whose opinions he represented, were committed in direct hostility of cardinal views,—is a political crime for which there is, and

* Vol. 2, page 15.

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ought to be, no forgiveness. That hostile principle formed the life and soul of his political power, and represented the mighty mass of hopes and fears and opinions, which had placed him in the front—their creature, their assertor, their conservator—and the very semblance of betrayal, in a crisis where unfailing confidence was at once the test of purity and the instrument of success—was a treason against all honor and all righteousness—infamous in its accomplishment, and fatally so in its failure.

That charge was made against Burr. He had, before the whole country, been used as the instrument of the deadly foes to his party and his principles, and the withering accusation was added—with his own connivance. In the absence of direct proof against him there was nothing in his character, or previous political history, to repel the dark suspicions that were directed against him; he showed no respect for the morbid anxiety of public honor which called for explanation. Morose, haughty and reserved, he received every charge with a sullen desperation that savored of the contumacy of guilt, until suspicion became confirmed, by a mass of conclusive circumstantial evidence; and the towering fabric of his power, which, like a mighty oak of the forest, spread his influence far and wide, was uprooted, prostrated and withered, by the storm of indignant exasperation he had aroused.

Utterly hopeless was that fall—most solemn and impressive is the lesson, to all public men, which it inculcates. It is in vain to talk of the ingratitude of republics, or of proscription, in the case of Burr. In no country, where freedom of opinion exists, will a public man be exempt from assault; but the value of sterling principle is, that in proportion to the vigor and malignity of attack, will the counteracting love, confidence and respect of the people be diffused. Compare, for instance, the attacks of the press on Burr, with those on Jefferson—indeed it is unnecessary—for in malignity, extent, and vigor there is *no* comparison,—yet, in spite of them, the influence of Jefferson grew in the country until he overshadowed the power and the hostility of a mighty and triumphant faction—in spite of them he carried his mild and salutary policy into effect—and in spite of them has his memory grown dear to his country, and his glory become identified with its institutions, and with the best interests of mankind wherever they are understood. Burr fell not before *them*, but because he had forfeited, for ever, all claims to public confidence or respect.

The subsequent career of Burr developed more fully the darkness of those elements of his character which hurled him from his high estate. The death of Hamilton opened every eye to the horrid spectacle of a man without a heart, and in his subsequent trial for treason against his country, the restless and dangerous intriguer was laid bare in every motive. Though acquitted on the technical

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charge, a higher tribunal had passed an irreversible judgment on his conduct, and he wandered forth from that bar, like the primal murderer, with the mark of God upon his brow,—an outcast and an alien among his kind. From this time, it is impossible to reflect upon his fate without a feeling of fear and awe. A wanderer in foreign lands,—and every where suspected and repelled—the proud man tasted the wretchedness of misery and want, and returned to his country, because he could find no asylum for the sole of his foot in all the earth, though he had essayed to purchase it by forswearing the very land of his birth. There he lived to a long wretchedness of age, forsaken by friends, deserted by kindred, and shunned by all. He lived to see most of the contemporaries among whom he had once been foremost, assume their rank in history, and—sad extremity of fate—to see posterity, also, confirm the deliberate opinion of a previous age upon himself, consoled only, in the depths of his degradation, by the selfish excesses of a faded voluptuary, so far beneath the cognizance of social morality, as to be reckless of its frown and hardened from its effects.

Awful, indeed, must have been the reflections of that desolate old man, as he wandered forth, alone, unknowing and unknown, in the heart of the mighty city where multitudes had once hung upon his words, and applauding crowds pressed eager round his steps,—shunned by all, or pointed out to the gaze of timid curiosity, like some spectral revivescence of political enormity.

Burr's place in the annals of his country, will be secured to him only by the maleficence of his star. Up to the close of his legislative career in 1799, he had not risen above the rank of an ordinary politician, and during his public career he had been distinguished by no act to entitle him to the gratitude or even the consideration of his country. His name is connected with none of the great public events or measures of his day, nor has he left a single writing behind him in a period when principles and policy were discussed with all the energy and vigor of great and inquiring minds, from which his contemporaries could ever gather an opinion on the great questions of law and policy, which agitated his day,—but the presidential election, the death of Hamilton, and his trial for treason, are dark distinctions, which will ever attach to his name, and secure him a place in history, equally conspicuous as a warning and an example.

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

No. II.

WILLIAM C. RIVES.

One of the most accomplished men of the day, is the original of the No. II of our political portrait gallery. And of all the prominent statesmen now before the public eye, few enjoy in so high a degree the personal respect and esteem of their friends,—a respect and esteem which no differences of opinion, that may arise in the progress of complicated and delicate questions of public policy, can shake. Mr. Rives has been, from his youth, a zealous supporter of the Democratic school of political faith, in the great division of the parties of the country, of which he early imbibed the principles from an intimate intercourse with its great founder, Jefferson; and if the opinion has ever been entertained by any, that any minor diversity of views, upon points of expediency, time, and means towards a common end, could produce the effect of placing him in an adverse relation to the main body of the Democratic party (of whose creed acquiescence in the will of the majority, when fairly ascertained, is a cardinal feature)—that opinion is, we feel confident, widely erroneous. Still less is it to be supposed, that the distinguished Virginian Senator can ever permit himself and the personal influence which attaches to his name—already on frequent occasions honorably eminent in the annals of the Democratic cause—to be made an instrument of serious or permanent party dissension, by those who look to that means as affording the sole possible remaining chance for the re-establishment of a National Bank, on the overthrow of the present Democratic ascendency; nor is it to be imagined, that Mr. Rives can ever be permanently alienated from the side of all those soundly Republican associates, to the success of whose exertions, in the common cause of their common principles, his abilities and eloquence have, on many eventful occasions, so efficiently contributed. We have no doubt, that on all future occasions, as through his past political career, Mr. Rives will never pursue any other than a manly and honorable course, entirely free from any influence of unworthy motive, and with a single view to consolidate and perpetuate the ascendency, in the administration of our institutions, of the principles of Jefferson.

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We have frankly to confess, that the artist has been by no means happy in the expression of countenance which he has given to his sketch. Though a faithful resemblance in point of feature, he has converted the expression of grave dignity, which belongs to Mr. Rives in serious moments, into a harshness and even moroseness of expression, equally foreign to Mr. Rives' countenance and character; thus producing an effect which we were unwilling to allow to go before the public without this correction.

We are induced to postpone, to a future occasion, a more extended notice of the career, character, and style of eloquence of the subject of the opposite sketch, in the expectation of having then at our disposal a variety of material for the purpose, of a highly interesting nature, including unpublished letters of Jefferson, Madison, and other shining lights of American Democracy.

TO-MORROW.

TRANSLATION FROM MARTIAL.

Cras te victurum, cras, dicis, Postume, semper, &c.

To-morrow he will live, Lorenzo swears,
Quite a new life—and hath so sworn for years.
Tell me, Lorenzo, when will come this day,
Thou call'st to-morrow? Is't still distant?—Say,
Where is it? and how is it to be got?
What is the price at which it may be bought?
Will it by Parry at the pole be found?
Or brought to light by Symmes from under ground?
To-morrow, did'st thou say, Lorenzo? why,
Is that a day that hath not yet gone by?
'Twas known before the flood,—its years outweigh
E'en those of Nestor or Methuseleh.
To-morrow thou wilt live! to-day is quite
Too late—He who lived yesterday, did right!

F. S. K.

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THE NEW YORK ELECTION.

When engaged in the midst of a violent moral struggle of hostile principles and parties, spreading over a widely extended field, diversified with various local peculiarities, if we would form a clear idea of its general aspect and tendency, we must ascend to the eminence of original principles, above the tumult and clamor of factious interests. There alone, looking calmly abroad and around, can we rightly estimate the character and consequences of each particular event in the general contest.

The Democratic party has certainly had to sustain some severe shocks of partial defeat within a recent period,—and especially on one of the apparently strongest points of its position. The New York Election was, unquestionably, a severe blow—an unkind cut—though, far from destroying, it did not even stun. We have no disposition to extenuate the fact. But there is another fact, still more important than that event itself,—the effect which it has produced upon the Democratic party,—the spirit which it has aroused—instantly—simultaneously—universally—as though at some sudden and irresistible signal. We have seen the party which had just sustained a severe and unexpected overthrow, instead of being cast down, bearing as proud and serene a front, as in its accustomed hours of victory,—instead of being disheartened, inspirited to a higher degree of confidence in its principles and cause,—instead of being frightened from the object towards which its efforts were tending, deriving, from its very overthrow, both a double stimulus, and a double reason, to persevere resolutely forward, with the calm energy of conviction of right and consciousness of purity of motive, to its accomplishment —deferred only to be made more certain. This is a spectacle not often witnessed, and, when presented, always the surest possible augury of approaching triumph. This fine spirit, shared by all alike,—from the leaders, elevated to the highest stations by the confidence of their country, to the most obscure ranks of a party which emphatically prides itself on resting upon the affections of the mass of the people,—this spirit of energetic determination, of consciousness of strength, and confidence, both in the great principles at stake, and in their necessary ultimate ascendency, tells the whole moral of the struggle in which the Democratic party is engaged, with such force, as ought to make its opponents despair in the midst of their rejoicing. The remark that was made immediately after the reception of the intelligence of that overthrow, by a very emi-

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nent authority,—that 'if a doubt had existed before, as to the success of the attempt to disconnect the Government from the banking power, it was now removed,'—has been responded to by the spontaneous expressions of a similar sentiment from every quarter.

What is the cause of this very singular fact?—for that it is a fact, will scarcely be disputed, however different may be the inferences drawn from it. The Opposition hailed the announcement of this event, as of the certain death-blow of the present Democratic ascendency,—

> The knell of the dead below,
> Or the living that shortly shall be so.

That the President's native State, in which the Republican ascendency, established from of old, appeared to have reached its highest point of majority but one short year ago, should have been swept over by such a storm of revolution, seemed, indeed, to superficial observers, such an evidence of total political annihilation to his party and policy, as might well, for very exultation and joy, turn the heads of those who had so long languished in the cold region of hopeless minority,—and yet its sole effect upon the defeated party, and its leaders, has been seen to be, to increase their confidence, and stimulate them to a higher courage and zeal! What, we repeat, is the cause of so singular a fact?

The analysis of that cause brings us down to the fundamental principles on which our two parties are divided.

The Democratic party has never been more true to the name under which it has been steadily organized, since its formation at the foundation of our government, than it is at the present moment. We are no friends to catch-words, and scorn to use them. But in that time-hallowed party name we recognize a principle and a truth, and not a mere sound. The simple fact of its having been borne uniformly through so long a period, and so many vicissitudes, while its antagonist party has invested itself with the chameleon hues of a score of different names, would alone be sufficient to prove that it is a characteristic, and not a mere conventional, designation. The first of the articles of belief, in the political faith of that party, has always been a steadfast confidence, through good and through evil, in the intelligence and integrity of the broad mass of the people. It is at this point that the divergence between the principles of the two has always begun. This confidence affords as unfailing a support in misfortune, as it does a cheering encouragement in success. It looks below the outward seeming of events, to their deep causes and springs of motion: it is not frightened by a ripple that a chance breeze may sweep up the channel of the stream, into the belief that the mighty mass of the river has changed its course, and is rolling its deep waters backward, against the law of its own nature. It recognizes that what is, is right; and sees, in the temporary reverse of

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to-day, the very means by which a wisdom and a power, above the level of our petty calculations, are bringing about the ulterior triumph of truth and justice.

It was this confidence in the people, (not to be shaken by any ephemeral delusions or excitements,) and in the eternal truth, and radical democratic soundness of the principles which have experienced this temporary check, which has called out this noble spirit. And general as has been the manifestation of that spirit, by public meetings and the press, as well as by individuals, in all parts of the country, we feel more reason to be proud of our party, firm in our principles, and sure of their eventual overwhelming triumph, than we have ever felt before.

This same New York election, notwithstanding all the immoderate rejoicings over it by the Opposition, will, we venture to predict, prove the most fortunate event for the Democratic party, and its policy, that could have happened; and, in truth, its beneficial influences are already beginning to develope themselves very sensibly. In the 'Empire State' itself, its effect cannot fail to be very salutary. We hope that it will not be deemed impertinent for us to express the opinion, that the Democratic party there *needed* some such shock, to renovate and purify it from the injurious influence of too long a possession of too undisputed an ascendency. This impression has been entertained for years by intelligent members of that party itself, and the approaching hour foreseen. So long as government is administered on its present principles, of general over-action and over-legislation, the perpetual check of a formidable opposition is necessary to preserve the purity of the principles of any party in power; while by dint of opposition,—by perpetually declaiming against abuses on the part of the dominant party,—this minority itself becomes purified in its habits of thinking on political subjects, in the same proportion in which the majority becomes insensibly corrupted. If this influence on the former were sufficient to penetrate to the heart, and to reform the vicious fundamental principles on which the creed of the anti-democratic minority is based, then the patriot could desire nothing more than a constant 'rotation in office,' between the two parties, each rising and sinking alternately, as it is relieved from, or encumbered with, the corruptions incident to the long possession of power. But unfortunately for that minority,—and unfortunately for the country, when an accident places them in power,—such is not the case. Its anti-popular principles lie too deeply at its heart, to be reached by an influence which does not, in its action upon either party, extend beyond the surface; and though, perhaps, sunk in comparative torpor, during their long Siberian exile from office, the first beam of the glorious summer of power, on the winter of that discontent, never fails to quicken them again into active, energetic, and dangerous vitality. We will not, in describing the use which

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that party seldom fails to make of the power thus occasionally entrusted to it, by the deluded confidence of the popular vote, quote the apposite fable of the serpent stinging the honest bosom that has warmed it into life,—though the courtesy is, perhaps, but little deserved,—but it is very certain, that their real principles, in their rankest form, always on such occasions come forth, to bask in the light, and at the same time to impel them to the commission of the most suicidal acts of folly, and to insult and disgust the democratic mass of the people, whose breath can, at the next election, unmake, as it has made. Witness what the short period of a few days was sufficient to bring forth, in the triumphant party in that election. We will not pause to dwell on the extravagant public rejoicings with which that victory was celebrated,—a victory of one political party over another in the peaceful contest of opinion,—all countrymen, fellow-citizens, and friends. We will not dwell upon that indecency,—because the bad taste of the whole affair, in so ridiculous an exhibition of the intoxication of unaccustomed triumph, was fully equalled by its folly, in exasperating, by such gratuitous and gross insult, the whole of that great party, whose temporary defeat (by its own dissensions and apathy) was thus celebrated as a national triumph over a foreign invading foe! Nor need we advert to the equally absurd, and equally insulting attempt to secure the future votes of the "rascalle rabblement," by a foolish ostentation of partisan charity—a distribution of corn—by way, it is to be presumed, of immediate practical performance of the promise that, if the law should only be given up into the hands of the rich, they would take care of the poor. Nor need we refer to the penitential eloquence with which pardon was implored, at the hands of the old anti-democratic party of a neighbouring State, for the great Empire State of New York,—which, under the control of its pestilent democracy, had "*sinned long, but must be forgiven*," and must be admitted to a place side by side with Massachusetts, under the old Federal flag! Our design was merely to allude to the striking fact, of the open avowal, by a portion of the press of that party,* of the same old anti-republican doctrines on which it was originally founded,—in their full extent of a preference of monarchical and aristocratic, over democratic, institutions. This avowal, however astonishing to the foreigner, as an evidence of the existence of such a sentiment in this country, creates no surprise in the minds of those who understand the strong anti-popular bias of the principles of that party, and are accustomed to hear the free expression of them in private intercourse. It is true,

* In allusion, particularly, to the New York Commercial Advertiser, (perhaps the most vehement and consistent of the opponents of the late and present Administrations,) and to those papers which copied, or abstained for a time (till the signal was given which it was evidently necessary to obey) from indignantly denouncing, its article over the signature of "Sydney."

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that it was speedily disclaimed by the more sagacious presses which were conscious of the suicidal imprudence of the act,—but with little effect, to relieve the party from its odium, because its substantial truth was generally recognized. We would not be so uncandid as to impute to that whole party, and its whole press, such sentiments, in their full extent; and do not impugn the sincerity of those who disclaimed them; we only refer to the fact as a tangible evidence of the general complexion of political sentiment,—deeper, of course, in some portions, than in others,—which pervades that one of 'the *two* sides to the *one* question before the country,' (to quote Mr. Webster); and, also, as an instance of the effect of the intoxication of victory—*in vino veritas*—to call forth that rash exhibition of real principles, which is but rarely hazarded in more guarded moments.

An occasional discomfiture to a powerful party is, then—justly regarded—a real and permanent benefit. It sweeps away at once, by the rude shock, all the time-grown abuses with which its surface has become disfigured; it humbles the arrogance, and reforms the corruptions, incident to the long possession of power; it relieves it from the fatal incubus of false friends, and treacherous leaders; and rallies again the whole sound and true body of the party around the invincible *Oriflamme* of its first principles. Such, we have no doubt, will prove the effect of this overthrow, to the Republican party of New York. There are already the clearest indications in every quarter, that such will be the case; and that the parallel of 1824 and '25,—in which, after a similar defeat, it recovered itself, with an increased majority, at the very next election,—is to be re-enacted in that State.

There is another point of view in which the philosophical observer sees reason for satisfaction in such an event,—in its effect on the minority, also. A certain, not inconsiderable, proportion of the people conscientiously entertain opinions at variance with those cherished by the democratic majority, but find themselves crushed down beneath the weight of numerical mass,—year after year their hope is deferred, till it maketh the heart sick. The antagonist party enjoys a perpetual monopoly of the power, the pride, and the emolument, of the ascendency. The case is, we confess, a hard one, to those whose honest opinions forbid their cordially adopting the democratic faith; and it is not to be wondered at that their loyalty to republican institutions becomes considerably impaired. They certainly cannot be expected to feel any very great attachment to that scheme of popular representation which keeps their opinions forever under the absolute despotism of the fixed opinions of a majority,—which they believe to be in the wrong,—and themselves forever at a hopeless distance from the *El Dorado* of office. Seriously, this is no insignificant evil in a republican state; it is a gnawing disease near the national heart, which it is not an unimportant object to cor-

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rect. And this is precisely the salutary object which an occasional victory, turning up in the chapter of accidents, subserves. Happening once in a long cycle of years, it is sufficient to revive their drooping patriotism, to dispel their despair of the republic, to soften the bitter hatred generated by the so oft repeated triumphs of the adverse party, and to ease their bosoms of the 'perilous stuff' of disloyalty to the institutions of their country, gradually accumulated there. The Whigs will go out of power at the next fall election, —but they will go out better republicans than they have come in; the *universal suffrage* will not appear so pestilent an abomination after all, nor the *ballot* so very diabolical a contrivance; and it is to be hoped that, for some years to come, they will be content to pursue their opposition to the policy and action of the Government of their country,—established and maintained by a majority of the people,—in the legitimate modes of argument, declamation, and abuse, *ad libitum*, without broaching the dangerous ideas of armed 'committees of ten thousand,' 'encampments on Capitol Hill,' and 'revolutions, bloodless *as yet*.'

The present was probably as suitable an opportunity as could have been desired for that occurrence. In the history of our country and its institutions, we are just at the point of transition between two broadly distinct epochs,—the disastrous period of the alliance between the political and moneyed powers having just reached its close, by its own necessary expiration, and the more auspicious era of a total disconnection of that unholy union, being just about to commence. The crisis of convulsion brought about by the principles of mischief inherent in that union, afforded, manifestly, at the same time the obvious means, as well as the fitting occasion, for the accomplishment of that event; and on the resumption of the political power of the State at the next elections, the Democratic party will enter upon the new epoch in a more healthy state of purity, in those party usages which in time acquire almost the importance of principles, than if this temporary reverse had not occurred, to throw it back into opposition, on the ground of its original principles.

One feature of that contest remains to be noticed,—the fact that the number of votes cast, on both sides, is *less* than in the contest of 1834, by the surprising amount of about 54,391,—the diminution in the Democratic vote being 41,255, and in that of the Opposition, 13,136. This establishes the important fact, that the integrity of that great party remains unbroken. So far from the truth are the claims advanced by the Opposition press throughout the country,—that a revolution in public opinion has taken place in the Empire State, and that the 'democracy of numbers' has passed over to range itself under the Whig flag,—that, notwithstanding the high excitement which attended the election, calculated to draw out the full force of the Whig vote, instead of receiving an aggregate increase,

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it fell not less than thirteen thousand from the level of 1834. The truth is simply, that the violent means which were strained, to an extent unprecedented in our party annals, of misrepresentation and abuse of the character and tendency of the principles supported by the Democratic party, in that contest, were able, with the co-operation of various accessory causes, so to distract and alarm a portion of that party, as to keep them from the polls. So far from success, however, were they, in transferring any considerable portion to the opposite side, that the diminution of the Whig vote, at an election held under such circumstances, would rather tend to argue, that a portion of that party itself are inclined to recognize the soundness and patriotism of the views of financial reform, contemplated by the Democratic party. The absurd cry of 'Agrarianism' was raised and re-echoed by a large majority of the press, till, by dint of repetition and clamor, it was able thoroughly to unsettle the public mind. A use was made of the unfortunate word 'Loco-Foco,' (a very innocent compound, to those who understand it rightly) alone sufficient to frighten fifty thousand very honest and worthy people from the ballot-boxes. The great banking interest of the State,—with its vast array of influential personages, officers, stockholders, and expectants of "favors,"—was alarmed by the grossest misrepresentations of the tendency of the reform policy of the Administration, —proceeding from the quarters in which it reposed especial confidence, as its peculiar representatives and guardians. Thus panic-stricken, by the most agitating appeals to its natural timidity, it is not to be wondered at, that it should seek shelter under the inviting wing of a Whig Legislature, in preference to encountering the sterner eye of a Democratic majority, at the present critical period of its struggle between life and death. And, introducing dissension, panic, and apathy, into every electoral district, by a combined action—the concert of a common interest and a common impulse, rather than of conspiracy,—it is not to be wondered at, that the sudden and simultaneous exertion of this omnipotent influence against the Democratic party, under the unfortunate circumstances of the times, was able to achieve the result that has been witnessed.

But it is manifest that this effect of accidental and temporary causes, cannot be more than temporary itself; and we may with entire confidence predict, that the triumphant rejoicings of which it has been made the theme, (partly from the inebriation of victory, and partly for effect abroad) are destined, at the next fall elections, to be turned into weeping and wailing and gnashing of teeth,—

> These violent delights have violent ends,
> And in their triumph die! like fire and powder,
> Which as they kiss consume.

The indignation of the Democratic party, as a mighty mass, and as a whole, has been thoroughly aroused by the indecent manner in

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which it has been exulted over, in its fall from its pride of place, and laid, in ignominious chains, at the feet of the Federal Opposition,—as embodied in the great Presidential candidate of the East,—for pardon and absolution. The eyes of those to whose dissensions and apathy the defeat is directly attributable, are opened to the true nature of the contest. It has annihilated forever the 'distinct organization' of a third 'Conservative'* party; and forcing over into the Whig camp (in spite of the ill concealed scorn with which they are greeted by their old bitter opponents) a small proportion of them, whose retreat is cut off by the necessities of their position,—it rallies the rest back under the good old flag which they never intended to abandon; although, by a temporary withdrawal to a distinct position. they have caused it, for once, to be soiled with the dust of defeat.

Delusions never last long in the public mind, though they may, for a time, overspread and cloud its surface. They soon evaporate, like the morning mist of our hills. Misrepresentation, though it may, at a critical moment of panic, impose upon the intelligence of our people, never fails, in the end, to recoil upon those who use it. What was not the astonishment of the public, when it saw half of the New York Whig press, a few days after their victory,—while the echoes of their thunders against the 'destructive' doctrines of the 'Loco-Focos' yet lingered on the ears which they had almost stunned,—turn round, and in chalking out the programme of their legislative action, during the little brief authority in which they were dressed, adopt those very doctrines in their full extent! And others of them, which had for months been ringing the most violent charges against the Administration, as the one great cause of the currency convulsion of which the crisis has just passed, turn round, and, with amusing *naiveté*, adopt in its full length the doctrines of its causes as maintained by the friends of the former,—a view which entirely exonerates it from the responsibility of them. And when the plain common sense of the arguments in behalf of the 'divorce' reform proposed by the Administration,—as they were brought out in the discussion of the Extra Session, against the delusive mystification and declamation, by which alone they were opposed,—has time to sink down into the public mind, and pervade it with the conviction, which is really irresistible, of the wisdom, soundness, and safety of that policy, how strong will be the indignation aroused against those who, on its presentation, at the hands of an Administration which was to be opposed alike in good as in evil, endeavoured to drown the calm voice of reason and patriotism in the storm of passionate partisan outcry!

What, then, is the actual position of the Administration? The answer is easy, and full of encouragement to the Democratic cause.

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*Infausum nomen!

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No administration ever maintained a nobler attitude in a nobler position than the present. Never did a more auspicious star light the future path of our destiny, notwithstanding some clouds which occasionally flit across it. It stands, as it stood, firmly by the Constitution and the Law. It has fearlessly perilled its popularity (which it was easy to avoid) for the sake of its principles. Its language is firm, calm, and soundly argumentative, while it is moderate and conciliatory. The policy which it is pursuing is one directly adverse to Executive patronage, and tending, at the same time to simplify and cheapen its administration; to curtail all the splendor and influence incident to its connection with banks and the disbursement of a large paper money revenue; and to remedy effectually the present cancerous disease of the social body by a direct application to its source. It has, in short, gone steadily forward, through good report and through evil report, in the march of reform, which the last Administration began when it encountered and overthrew the 'lion in the path,'—the great National Bank then existing. The great evil to be reformed was *the want of a fixed measure of value.* The framers of the Constitution fondly thought that they had placed that mainspring of national prosperity and happiness beyond the reach of danger, by their careful provisions, embodied in the heart of that instrument. They imagined that, by expressly withholding from the General Government the power of incorporation, for the fear of its being used for the creation of a bank,—by giving it specifically the power of coinage, and nothing more—by denying to the States the power to issue a paper-currency—and by forbidding any thing else than the standard, intrinsic, and universal measure of value, gold and silver, being made legal tender,—they had secured the object of which their own experience had well-taught them the incalculable importance. But they were mistaken. The subtle genius of paper-money has been able to frustrate the whole scheme of their design, and to baffle and evade all the precautions by which they had hoped to secure it. Our practical currency became entirely of paper, except for the minor uses of small change, in which the metals can serve no purpose of a standard measurement of value. We are dealing only in facts. Our *paper* professed always to keep within the limits of equivalency to *specie*, by its ready convertibility; but we did not perceive that that convertibility was but a sound and a delusion. It was a reality only when not thought of and not wanted; but as soon as an actual demand for specie, to pay the foreign debt periodically consequent on an elastic currency, called it into play, it would melt away into an unreal mockery, and one-third of the banks of the country (See Mr. Gallatin) would break, and the rest would support themselves only by a crushing pressure on the community. The specie standard came into operation only as a corrective and punishment *after* excess, and

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not as a preventive and restraint, upon that inherent tendency, *before* reaching the maximum that the system of the national body could bear. This plain truth cannot fail to be clear as the sunlight to every calm and candid mind, namely, that by reason of the alliance between the institutions that have created our paper currency, to derive their profits from lending it, and all our public authorities, both the Federal and State Governments, the latter conducting all their fiscal operations through the paper of the banks alone, the country has really possessed no uniform measure of value, notwithstanding all the precautions of the Constitution. It has had but a 'counterfeit presentment' of such a standard. This is a position which the most strenuous friends of banks and paper money cannot attempt even to controvert. Nor will any question that this defect is the radical vice of our system of currency—being precisely analogous, though on a wider and more active scale of operation, to the want of fixed standards of weight and measurement. This defect has been the original and ever active cause—the *prima mali labes*—of all the evils which it is admitted by all that the country has suffered from its paper currency, whatever differences of opinion may exist as to its compensating benefits; and to supply this, as far as it may be incidentally within the competency of the General Government, is simply the object of what is called the hard-money policy of the present Administration. The peculiar advocates of paper money rest their defence of it upon the ground of real convertibility; yet, in practice, that restraint is entirely evaded, simply for the want of a regular demand for and circulation of specie. This is what the General Government proposes to furnish, in its fiscal operation. It is proved, beyond cavil, that the amount which will be required for that purpose, will not exceed one-tenth part of the addition which has been made to the stock of specie in the country within the last few years, and that it is utterly insignificant in comparison with the total amount of currency and money transactions of the community. Yet, the uniform and constant circulation of that amount, its presence in the circulating medium, and the regular, though moderate, demand for it, will make it serve the purpose of a regulator to the paper currency, tending to keep its expansibility perpetually under the restraint of a *bona fide*, real convertibility. It will thus compel every bank to keep its paper down to the standard of equivalency to specie—a consummation devoutly to be wished by all. It is only astonishing how the advocates of banks can venture to oppose this, as a measure of hostility to them! Yet, it is equally surprising that it can be imagined that the intelligence of the people can be long imposed upon by such inconsistent and suicidal argument.

This reform brings the Government back to the path prescribed to it distinctly and emphatically, (as none can deny,) by the design of the Constitution. It abstains from an interference with the legisla-

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tion of the States on the subject of banking. It contents itself with affording a uniform standard of value, to which it will be a necessary duty of every State and every bank to conform. It does not abolish paper money, to substitute an 'exclusive metallic currency,' but simply affords a perpetual check, unfelt, though effective, upon the excess and abuse of paper-money, if the States choose, in their sovereign pleasure, to continue the banking system which, by an ingenious evasion of the spirit of the Constitution, has grown up over the whole surface of the land. And this object who will gainsay—who can pretend to impugn? Certainly, no friend to the State-Rights school of construction. Certainly, none who read in the *Constitution* the sacred golden rule from which no temptation of apparent expediency should induce us to stray. Certainly, none who are unwilling to vest in the Executive that influence over pecuniary interests of portions of the community inseparable from a connection between its treasury and private banking corporations. Certainly, none who desire to see its financial action confined to the simple collection and disbursement of the most economical revenue possible, in the safe, simple, and uniform mode designed by the Constitution. Certainly, no consistent friend of banks and paper-money, who wishes to restrain the perpetual tendency of the former to the abuse of their power of creating currency, and to save the latter from the public odium so justly incurred by its frequent excesses, by adding the check which has hitherto been wanting, to keep it down to the level of real convertibility and equivalency to specie. And certainly, we may add, none but those whose minds are engrossed, in spite of all the experience both of England and of our own country, with the one absorbing prejudice—that the sole sovereign panacea for all the ills that flesh is heir to is a National Bank.

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RETROSPECTIVE VIEW OF THE SOUTH-AMERICAN STATES.

No portion of modern history is less known, as well in our own country as in Europe, than that of the different States which have risen within the present century, upon the ruins of that vast and splendid dominion once possessed by Spain over the southern half of the American hemisphere. Very few individuals, indeed, are to be found, possessing tolerably correct ideas of even its general outlines. We have, therefore, thought it necessary—as it would probably be interesting and useful—to present a general retrospect of the past history of these our neighbour republics, as introductory to that section of our future regular chronicle of events. The following article (of which the second half will be given in our next number) has been prepared with a most careful attention to accuracy, from authentic and original sources.

At the beginning of the present century the authority of the Spanish Monarch extended, or was supposed to extend, over more than one-half of the American continent, and nearly two-thirds of the aggregate surface of the West India islands. Of these vast territories, many tracts, not only in the interior, but also bordering for hundreds of miles upon the sea, were inhabited exclusively by tribes of wandering savages; and the claims of Spain to supremacy over them rested upon no better foundations than the grant made to her sovereigns, in 1493, by the Pope, and the assent or indifference of other Powers. There were, however, among these dominions, many rich and extensive countries, peopled by persons who might be considered as civilized, who spoke the Spanish language, were governed by Spanish laws, and were in all respects Spanish subjects. Of these latter possessions, some had been first cultivated and settled by the Spaniards, but the most valuable portions were, when discovered, occupied by nations already far advanced in the knowledge and practice of the most useful arts, and were still principally peopled by their descendants.

The number of inhabitants in these dominions, at the above mentioned period, cannot be stated with any degree of accuracy. The settled countries were supposed to contain about sixteen millions of persons, of whom the majority were of the various aboriginal races comprehended under the general name of Indian. The whites, or those of purely European extraction, did not, probably, exceed three millions, including the military and the officers of government; and there were about half a million of negroes. The remainder of the population was made up of persons of mixed bloods, who were denominated *mestizos*, *mulattos*, *sambos*, &c. according to their descent. The Indians, and *mestizos*, or persons of mixed European and Indian bloods, were confined to the continental territories, the indigenous races having disappeared from the West India countries; in the settled districts they were engaged in agriculture, mining, and the mechanical employments; they, indeed, performed all the manual labor, and were, upon the whole, as much civilized as the corresponding classes of the inhabitants of Spain. The greater part of the Indians of pure blood lived in villages, districts, or parishes, specially assigned to them, where they were governed in a peculiar way, and possessed certain privileges and immunities, withheld from the remainder of the population. The negroes and mulattos were nearly all slaves; in which capacity they composed about a third of the population of the West India islands; on the continent, they were most numerous in the northern parts of South America, particularly in the vicinity of the coasts.

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These countries had remained in subjection to Spain for nearly three hundred years. Within that time some territories had been temporarily alienated, and others, originally occupied and claimed by Spain, had passed, without any prospect of return, into the possession of various powers; the settled dominions, however, were nearly, if not fully, as extensive as at any preceding period. The districts bordering upon the sea had occasionally suffered from hostile attacks, during the wars in which Spain was almost constantly involved; and rebellions had occurred among the Indians in several provinces, which were generally subdued with little difficulty. Yet, when we compare these evils with those from similar causes by which Europe had been afflicted within the corresponding term of years, Spanish America may be considered as having been little disturbed, either by foreign wars or by internal commotions. Notwithstanding these favorable circumstances, and their immense natural resources, little, if any, improvement had taken place in those parts of the world, either as regards their population, agriculture, commerce, or any other branch of public prosperity; and Spain herself had fallen from the highest to nearly the lowest rank among nations. That the decadence of Spain was the consequence of its connection with America, is generally believed, though by no means sufficiently proved; that this connection, however, as it really existed, could have been beneficial to neither country, must appear evident to all who are acquainted with its nature.

To portray minutely the system according to which Spanish America was governed, and to develope its effects upon the interests and characters of those upon whom it operated, would require much labor, as well as discrimination, on the part of the person who should undertake it. An impartial history of the Spanish rule in this hemisphere, would, however, afford most valuable lessons to those who entrust, as well as those who are entrusted with, political power. It would display a series of measures, suggested by the most acute foresight, and the most profound acquaintance with the mechanism of the human heart, directed solely to the purpose of concentrating in the hands of a few, and for the benefit of a few, all the rights which belong to millions. It would afford precepts for fraud and imposition, calculated to excite the admiration of a Machiavelli, and examples of violence and treachery which even a Napoleon might have scrupled to imitate. Yet it would, at the same time, afford to a reflecting mind, demonstration of the general inefficiency of wisdom, or of its counterfeit, cunning, when devoted to ends purely selfish—when unaccompanied by a just regard for the rights of others. It would show how rapidly the spirit of deception extends downwards, from chiefs to their subordinate agents, and from those agents to the persons on whom they are to act; how easily, in fine, the artifices by which we design to profit at the expense of others may be turned against ourselves.

We shall, however, attempt to present a sketch of this system, with a view of its operation and its effects upon those for whose government it was instituted.

In the first place, it must be observed, that these dominions were not considered as colonies, but as forming, together with the Canary and the Philippine islands, one empire, called the Indies, of which the King of Spain, as King of Castile, was the absolute sovereign. They were governed by distinct laws, those of Spain applying only in cases for which no provision was made in the code specially formed for them; and the entire direction of their affairs was committed exclusively to a distinct ministry, called the Supreme Council of the Indies, which resided near the person of the King, and acted always in his name. This celebrated body was established in 1511, shortly after the discovery of America; its functions were considerably enlarged by Charles the First, (better known as the Emperor Charles the Fifth,) and his son Philip the Second; and, in consequence of the indolence and incapacity of nearly all the succeeding monarchs of Spain, it gradually acquired the absolute control of the dominions placed under its charge. As a Legislature, it issued all laws and regulations for the government of the Indies; in the exercise of its Executive faculties, it made or confirmed all appointments, civil, military, and even ecclesiastical, and ordered or instructed the higher officers, with regard to the performance of their duties; lastly, it was a Supreme Court of Judicature, to which causes involving impor-

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tant questions might be submitted for their final determination. It thus possessed all the powers of the government over these extensive realms. The assent of the monarch was, indeed, necessary to give authority to its proceedings, yet that assent was rarely, if ever, withheld; and as vacancies in its own body were always filled agreeably to its own recommendation, the whole period of its existence might be viewed as the reign of one absolute sovereign, ever sagacious, and ever adding to his stores of experience.

The laws and decrees of the Supreme Council were, from time to time, revised by the body itself; and those which were to remain in force were arranged under their proper heads, and published by order, and in the name of the King, under the title of "*Recopilacion de leyes de Indias.*" [Compilation of the laws of the Indies.] The last publication of this collection was made in 1781, in three volumes, small folio; certainly not an extensive body of laws for so vast an empire. Respecting the character of the statutes, it may, at present, be observed, that they are, for the most part, intended as guides for the conduct of the officers of Government, and that they recognise or consecrate but few rights on the part of the governed.

As the territories of the Indies were of vast extent, it became necessary to divide them into sections; and, as they were situated at a great distance from the seat of the supreme authority, it was requisite to confer almost unlimited powers upon those who were charged with the actual administration of the government. It was, however, likewise, indispensable to prevent, as far as possible, the employment of such powers, by the persons to whom they were confided, in a manner prejudicial to the authority or the interests of the mother country.

At the period to which we at present refer, the number of these sections was twelve; each of which had its own government, its own civil, ecclesiastical, and military establishments, entirely distinct from, and independent of, those of every other division. These sections were nearly all styled kingdoms, and were, in general governed by the same laws and regulations; there were, however, certain notable peculiarities in each, with regard to the mode of enforcing the laws, the constitution of the several departments, and the distribution of powers among them.

Over each section was placed a chief executive officer, appointed by the Supreme Council for a limited period, generally five years; after which, however, they were, in many cases, continued in their command. In the four largest divisions, viz: Mexico or New Spain, New Grenada, Peru, and La Plata, this chief was styled the Viceroy. In seven others, viz: The Canary islands, Porto Rico, including the Spanish part of Saint Domingo, Cuba to which was attached Florida and Louisiana, Guatemala, Caraccas, Chili, and the Philippine Islands, the supreme authority was vested in a Captain-General; the remaining section, Quito, was governed by a President.

The sections were subdivided into provinces which, except in Mexico and Peru, were commanded by Governors; in those two kingdoms one or more provinces were placed under the control of an Intendant, whose faculties were less limited than those of a Governor. Again the provinces were divided into districts, in the chief towns of most of which was a board, called a *Cabildo*, or *Ayuntamiento*, elected partly by the inhabitants, and charged with the police of the place, as well as with the appointment and superintendence of the *Alcaldes*, or magistrates, in the other towns or parishes of the districts. In the Indian villages, or parishes, the *Alcaldes* were chosen by the inhabitants, but were placed under the direction of *Corregidores* or guardians, appointed by the Ayuntamiento.

The powers and duties of these several officers were in most cases defined by law, though in some they were purposely left uncertain; much was always placed at the discretion of the person employed, whose responsibility was supposed to be in proportion. The Viceroys were originally considered as representing the majesty of the Sovereign; they held at their disposition the land and sea forces, and the revenues of their respective sections, and their commands, of whatever nature they might be, were obeyed without question. Many limits were, however, in progress of time, placed upon their authority, particularly in matters relating to the revenue, which were, in Mexico and Peru, committed almost entirely to the Intendants; and although

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they preserved their state, yet their powers were, at the period of which we are speaking, but little more extensive then those of a Captain-General.

These great commands were usually bestowed upon noblemen of distinguished families in Spain, or courtiers to whom they afforded opportunities of acquiring wealth in various ways, legal and illegal, which appear to have been seldom neglected. As such persons could not be supposed to be, in all cases, very well prepared for the duties of their situation, and as ambition or rapacity might tempt them to proceed beyond the bounds prescribed by law or wisdom for their conduct, they, as well as the Governors and Intendants, were provided with *Fiscales* or attornies, whom they were obliged to consult before taking any important step; each might act contrary to the opinion of his *Fiscal*, but the latter had the right to enter his protest, which might afterwards be submitted to the Supreme Council. As an additional check, it was also provided, that, after the retirement of a Viceroy, Captain-General, or Governor, from his command, he might, within a certain short period, be arraigned for his misconduct while in office; and for this purpose, a Commissioner was appointed to receive any complaints which might be brought against him.

The most serious check upon the absoluteness or the ambition of all the executive officers, were the *Audiencias* or high Courts of Justice, of which one or two were established in every section. They consisted each of a small number, generally between three and eight, of *Oidores* or judges, aided by *Fiscales*, chancellors, notaries, *Alguaziles* or sheriffs, and other officers or agents. On ordinary occasions, they were presided over by one of their number, styled a Regent; the Viceroy or Captain-General was, however, *ex-officio*, the President of the Audiencia established in his capital. In one section, that of Quito, the President of the Audiencia exercised the chief civil power, the military force being subordinate to the Viceroy of New Grenada. These powerful bodies were at first merely high courts of justice, but they gradually acquired the prerogatives of Councils of State and Boards of Administration; they, in fact, became the immediate representatives of the Council of the Indies, and the government of the countries was really placed in their hands. Appeals might be made to them from the decisions, and complaints might be brought on account of the proceedings, of all other authorities, and their judgments were reversible only by the Supreme Council itself. To this latter tribunal recourse could be had under certain circumstances and conditions; but that was seldom done, as the appellant was obliged previously to deposite a very large sum of money, which was forfeited in case the final sentence should be against him, and the prosecution of such suits was always tedious and enormously expensive.

As the decisions of the Audiencia were thus almost final with regard to acts committed, and as they possessed the right of directly addressing the Supreme Council, with which their representations were of almost paramount influence, it may be readily supposed that their opinions and advice before action would have great weight. Accordingly the Viceroys and Captains-General rarely proceeded in opposition to their opinion; and when they did so, they were generally declared by the supreme powers to have been in the wrong. Nay, more, the history of Spanish America presents several instances in which such Chiefs have been arrested and deposed by the *Audiencias*, the latter assuming the reins of government in their stead, until the will of the monarch could be known.

In the administration of justice, in ordinary cases of difference among private individuals, and even between such and the Executive officers, it seems to have been considered that the *Audiencias* generally acted with uprightness, and that they often proved effectual checks to the tyranny and rapacity of those officers; on the other hand, their members appear every where to have behaved with more arrogance towards the people, and to have been more generally feared and hated by them, than any other public officers. When the disposition to dispute the authority of Spain was first manifested in America, the most energetic measures were every where counselled or taken by the *Audiencias*; the greatest degree of severity was exhibited by them towards the offenders, and they in turn were visited by the utmost violence of popular revenge.

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The military force in America consisted of regulars, who were nearly all Spaniards, and of native militia. Neither class of troops was, however, at any time very numerous; the government appearing to have but little dread of foreign attacks, and to place full confidence in the organization of its civil powers, for preventing internal disturbances.

The ecclesiastical establishment was an important branch of the government of America, where it was maintained in great splendor and dignity. The clergy presented the same characteristics there as in other countries where the Roman Catholic religion prevailed exclusively; the inferior members being generally honest, kind, and simple-minded persons, loving and loved by their parishioners, while the high dignitaries were, for the most part, arrogant, intriguing and tyrannical. The Inquisition exercised its detestable sway, unchecked in every part of the dominions; occasionally exhibiting to the people of the great cities the edifying spectacle of an *auto de fé*, in which human victims were sacrificed, to confirm the faith of the beholders in the power of the Archbishop and the Viceroy.

With regard to taxation, the Americans can scarcely be said to have labored under heavier grievances than the inhabitants of Spain; as in the latter country the revenues were raised through complicated proceedings, by means of fines, sales of offices, monopolies, custom-house duties, excises, and taxes of various sorts and denominations; to which were added, in America, the tribute paid by the Indians, the percentage on the precious metals obtained from the mines, and some other peculiar imposts. The principal duties and taxes were the *Almojarifazgo* or duty on entry of goods, the *Alcabala* or tax on sales and transfers of property, and the *millones* or duties on things most necessary for human subsistance; the monopolies extended to the articles of less immediate necessity, such as tobacco, brandy, quicksilver, &c. The mines were granted to individuals by the Sovereign, in whom the right to them originally lay, on condition of the regular payment to the Government of a certain proportion of the metals extracted; the exportation of their products to any other country than Spain was especially prohibited. That the internal commerce of a country subject to such a mode of taxation as the *Alcabala* cannot possibly flourish, no arguments are required to prove; the *millones*, and monopolies, were scarcely less calculated to repress enterprise among the people; but on the other hand, independently of the sums raised, they afforded offices for Spaniards, which was a more important consideration in the eyes of the Government, than the comforts and happiness of the subjects.

Besides the contributions thus levied by the civil Government, alone sufficient utterly to weigh down the energies of any people, the Church obtained a large portion of the produce of the labor of the inhabitants, in the shape of tithes, and by the sale—carried on to an extent unknown in any other part of the world—of bulls of indulgence; which the clear-sighted and caustic Jovellanos characterises as "periodical productions, badly written on bad paper, which every body bought, few read, and nobody could understand."

The Indians residing in separate villages and parishes, were freed from the *alcabala*, and the other direct taxes, in place of which they paid a tribute, or capitation tax of from five to ten dollars, levied upon every male between ten and fifty years old, and collected by their *Corregidores*. In this respect they were, therefore, in a better situation than the whites, or those who shared their privileges; and indeed upon the whole, in every part of the dominions except Peru, they suffered less of what might be termed physical oppression, than the other classes of the population. In Peru, however, their fate was dreadful; each village in that section was obliged to furnish a certain number of men, who were chosen by lot, to work in the mines for a year, during which short space of time they were generally destroyed by the peculiar nature of their labour, or their constitutions were entirely broken. This forced contribution of labor, was called the *mita*; it was supposed to have been one of the principal causes of the rapid depopulation of Peru, and to free themselves from it was the great motive of the insurgents, who, under the command of the pretended Inca Tupac Amru, laid waste that country in 1780.

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The commerce of these countries with each other was discouraged, and, in general, absolutely prohibited; between them and Spain it was carried on by a limited number of vessels, which were required to be almost entirely owned and manned by Spaniards, and were permitted to sail only to and from certain ports; with the rest of the world they could have no intercourse whatever but by stealth. Foreigners were prohibited, under the heaviest penalties, from entering any part of Spanish America, or from appearing in the vicinity of its coasts; and a foreign vessel, even though belonging to a country at peace with Spain, arriving under any circumstances in a Spanish-American port, was liable to be seized, and her crew might be killed, or imprisoned for life in the mines, or sent far into the interior of the country. These impediments, however, proved insufficient to restrain the enterprise of the British, the French, and the Americans, who introduced vast quantities of the productions of their own or other lands into those dominions, not only clandestinely, but even under the eyes of the authorities, previously rendered propitious by bribes and carried away, in return, the precious metals which it was so much the object of the government to secure for Spain.

It may readily be imagined, that the diffusion of information among the inhabitants was studiously prevented. The charge of keeping them in ignorance was committed to the priests, who, with the exception of the Jesuits, executed it with fidelity; the few schools and colleges were directed solely by ecclesiastics, who excluded from the course of instruction every branch of study, and from the public and private libraries every book, calculated to strengthen the mental faculties or to elevate the feelings. In the year 1806, there were but two printing presses in all Spanish America, one at Lima, the other at Mexico, in each of which cities a newspaper was published, under the immediate direction of the Government; and as the Spanish newspapers, the only ones allowed to be imported, were devoted almost wholly to the movements of the Court or the Church, the inhabitants remained in absolute ignorance of all that transpired elsewhere. A few poems and plays, none of any value, and some works on natural history, or speculations, generally wild and baseless, on the antiquities of those countries, form nearly the whole of their original literature.

The incomplete outline here given of the system by which these countries were governed, at the time when that system was the most liberal, and perhaps, in general, the most liberally administered, may serve to afford some idea of the evils to which they were subjected before their separation from Spain—evils by no means productive of proportional advantage to the oppressors. A more minute review of the history of Spanish supremacy in America, would serve to show that, throughout the whole period of its subsistence, the wishes and welfare of the inhabitants were sacrificed to the interests, real or supposed, of the monarch or of his European subjects. To secure those interests permanently was the great object of the Government, and, unfortunately for America, they were considered as being confined within very narrow limits; in fact, it had long been established as a principle, that to supply Spain with the greatest quantity of the precious metals, and to gratify her nobility and influential persons by lucrative situations for themselves or their dependants, were the only purposes for which these countries could be rendered available without endangering the perpetuity of the dominion over them.

With regard to the Council of the Indies, it is not difficult to conceive that the accumulation of all the powers of the state in the hands of such a close corporation, composed of persons who were, in every respect, foreigners residing in a foreign country, and not associated by interests or feelings with those whom they governed, could not be otherwise than disadvantageous to the latter. The contrary, however, has been maintained by many, who have lauded the proceedings of this body on the grounds, not only of their general wisdom, but also of their justice, their moderation, their humane and benevolent spirit. The laws of the Indies do, indeed, in many instances, appear to warrant this favorable judgment; but the advantages held out by some of those enactments were often neutralized by others of a directly contrary tendency; or by the great liberty of construction allowed to those who were charged with their execution; while other provisions, upon points of the utmost importance to the welfare of

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the governed, though clearly expressed, were so uniformly disregarded, as to authorise the suspicion that they were framed solely for the purpose of delusion. Thus, it is declared and recommended in many of their decrees, that the utmost equality should subsist between white natives of the Indies and Spaniards, in the privilege of being chosen to fill all offices in that Empire; rarely, however, was this just and generous precept observed; the Americans were excluded from almost all employments and dignities in their country, whether civil, ecclesiastical or military, which were, with but few exceptions, uniformly bestowed on Spaniards. Of a hundred and sixty persons who successively commanded in the various sections as Viceroys, but four were natives of America, and of more than six hundred Captains-General and Presidents of Audiencias, only fourteen were born in the western hemisphere. No disposition was shewn during the latter years of the Spanish domination to lessen this evil; on the contrary, the removal of all Americans who held offices in those countries, was a prominent part of the reform made at the suggestion of the minister Galvez, in the government of the Indies, between 1785 and 1790.

The agents thus chosen to direct the administration of affairs in those countries, appear to have been, in most cases, by no means fitted, either by their capacity, their habits, or their character, for the employments to which they were destined. Regarding themselves as a privileged class, they were uniformly insolent to the people, and their general rapacity and venality is proved by the concurrent testimony of all who had the means of observing their conduct. In these liberties, the inferior officers were encouraged by the example of their chiefs, and by their indifference to complaints; while their extortions were facilitated by the imperfections in the laws, which every agent appeared to have assumed the right of interpreting according to his own views and interests. "*God is on high and the King far off*," was the ruling maxim with the Viceroys and Captains-General; and the conviction of impunity, thus expressed, was equally entertained by their subordinates in every degree.

It is true, as has been stated, that the Audiencias proved in many instances a salutary check upon the tyranny of the executive officers; but this could be only in cases in which complaints were brought before it, and which could rarely occur, on account of the vast extent of the sections, and the expense of prosecuting such suits. We have shewn the difficulties which rendered an appeal to the Council of the Indies impracticable, except in a very few cases; a direct application to this body, for redress of injuries sustained from any Government officer, was nearly impossible, as no letter could be received from any of those countries unless it was sent by the Viceroy, Captain-General, or President of the Audiencia. Equally vain was any attempt to impeach those Chiefs during the short period allowed for that purpose after their retirement from office; so that the American subjects of Spain had no effective remedy whatever against oppression and tyranny on the part of their immediate rulers.

Such was the plan of the Spanish Government in America. In theory it was simple and not positively bad; in its operation, however, it was, in every point of view, inefficient and oppressive, as must be every system of rule, however perfect in conception, where the people to whom it is applied have no voice in its constitution and direction; where measures are all adopted without their sanction, and the agents are not amenable to their judgment. In no other part of what we call the civilized world, have the people possessed less share in the direction of their civil concerns than in these countries; the history of no other part presents such an uninterrupted series of examples of abuse and misgovernment.

That such a system was calculated to paralyze the prosperity of those countries cannot be doubted; and indeed this was evidently the intention of the Spanish Government, which was well assured that, under a form of administration better adapted to develope their resources, they would soon cease to form part of its dominions. This separation was anticipated by many of Spain's wisest statesmen, who had in vain endeavoured to prevail upon the ruling powers to provide for its occurrence, by adopting measures likely to produce a friendly spirit on the part of the Americans towards the mother country. The warnings were, however, disregarded, and to the

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last moment of the existence of the Spanish authority on the Western Continent, the same selfish and uncompromising views were manifested by those who maintained it, and not a step was taken by them to render the inhabitants fitted for self-government.

On the character of the Americans the influence of such a government could not but have produced most baleful effects. When oppression does not provoke resistance, it evidently debases those who submit to it; when force is not or cannot be employed to repel injustice, recourse will be had to falsehood, fraud and subterfuge, in order to elude it, and these, in their turn, lead to haughtiness and tyranny on the part of the rulers, to insolence and venality in their agents. Such was the case throughout these countries, in which hatred and thirst for vengeance rankled in the breast of every native. Are we, then, to be surprised that the struggle for independence was desperate and bloody—and that, when the Americans had succeeded in expelling their tyrants, so few of them were found possessing the habits or the principles requisite for the formation of good citizens, or for the existence of free institutions?

The first event, worthy of notice, that occurred in the present century, with regard to the Spanish possessions in America, was the separation of Louisiana from the dominion of Spain. This extensive region was explored and settled by the French about the close of the eighteenth century, and was ceded, or as the Spaniards consider, restored to Spain in 1764. It was retroceded to the French in 1801, and transferred by them, on the 30th of April, 1803, to the United States, in direct contravention, as the Spanish government asserted, of the promise made by France at the period of the retrocession.

The loss suffered by Spain, in this diminution of her territory, was a much less serious evil than the establishment of an active and enterprising people in the immediate vicinity of her most valuable provinces, possessing, moreover, the means as well as the right to navigate the sea which bounded them. Her statesmen looked with dread to the consequences which must ensue; the continuation of the exclusive system upon which they conceived that the secure possession of the American dominions was based, would now become impracticable; neither the introduction of prohibited goods, nor the exportation of the precious metals to the United States, could longer be prevented; and the practice of exterminating all foreigners who might enter those countries, could not be prosecuted against citizens of the United States, without eminent hazard of provoking hostilities, either authorized or unauthorized by the government of that Republic. Accordingly, indeed, the country had scarcely been surrendered to the United States, before a plan was formed by their Vice President himself for overthrowing the Spanish authority in Mexico; which, probably, nothing but the want of resolution, on the part of some of the persons engaged, prevented from being carried into execution. Events, however, soon after occurred in other quarters which led to a general catastrophe. The British Government had seen with regret and jealousy this extension of the territories of the United States in Louisiana; and Mr. Pitt, who then directed its affairs, determined, if possible, to procure for his country a share of the Indian empire, the dismemberment of which had been thus begun. With this view he for some time encouraged the plans of General Miranda, a native of Caraccas, who had held a command in the French army, for invading the northern part of South America; but Miranda had no wish to render his native country subject to Great Britain, and was anxious only to see it placed under the government of republican institutions, to which Pitt would of course lend no aid. Thus frustrated, Miranda repaired to the United States, and having, by the assistance of some merchants of New York, obtained the requisite means, he fitted out three vessels, and enlisted, generally under false pretences, nearly four hundred adventurers, with whom he sailed for the Spanish Main in March, 1806. This attempt failed entirely; two of the vessels were taken by the Spaniards, and their crews either put to death or condemned to long and painful imprisonment. Miranda landed with the remainder of his forces on the coast of Caraccas, and invited the people to rally around the standard of the new Republic of Colombia; but soon finding his efforts vain, he was glad to make his escape to the neighbouring British island of Trinidad.

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In the mean time an attempt was made by the British to seize upon another part of South America, namely, the region adjacent to the river of La Plata; a vast country, rich in agricultural and mineral resources, with a climate well adapted to the constitutions of Englishmen, and which it was considered would prove an easy conquest. Pitt had for some time contemplated an expedition against this country, which probably nothing but his death delayed; at length, in 1806, Admiral Sir Home Popham, elated by his success in the capture of the Cape of Good Hope, determined to add to his laurels by carrying into effect the wishes of the late minister. He accordingly sailed from the Cape with all his forces, and entered the river of La Plata in June, 1806. The Viceroy, Sobremente, immediately abandoned Buenos Ayres, which was quietly taken by the troops under General Beresford; but Colonel Liniers, a Frenchman, in the Spanish service, rallied the retreating forces, and being joined by a number of natives from the adjoining provinces, he succeeded in shutting the British up in the city, where they were soon obliged to surrender as prisoners of war. On the return of Sir Home Popham, he was tried, and, being unsuccessful, was, without difficulty, found guilty of having acted without authority, and of having, by his cruelty and rapacity, contributed to bring this reverse on the British arms.

In order to wipe out the disgrace, another expedition was immediately sent against this country, under Sir Samuel Auchmuty, who, in February, 1807, took Montevideo; but he was soon after superseded by General Whitelocke, who, having been repulsed, in his attack upon Buenos Ayres, with dreadful loss by Liniers, was obliged to evacuate the territory with all his forces.

The peace shortly after made between Great Britain and Spain, prevented any further attacks from being made by the former power upon the possessions of the latter.

In the year 1808, occurred those great events which led most directly to the overthrow of the Spanish power in America. On the 5th of May of that year, Charles the Fourth, and his son, Ferdinand the Seventh, together with the other male members of the royal family of Spain, having been, by means of infamous treacheries, inveigled into the power of Napoleon, were made to surrender, at Bayonne, for themselves and their descendants, all claims to the crown of that kingdom. Shortly afterwards, Joseph Bonaparte, the eldest brother of the Emperor of the French, was raised to the vacant throne, and a constitution was promulgated for the government of the Spanish dominions, by which the American possessions were to enjoy all the privileges of the mother country, and were to be represented by deputies in the Cortes or General Legislature, at Madrid. Many of the highest nobility of Spain submitted without hesitation to the new régime thus imposed by fraud and force upon their country; but the great mass of the people rejected it with scorn and defiance. Insurrections broke out in every quarter of the kingdom, and Juntas, or boards of direction, were formed in various places for the support and regulation of the opposition.

Success every where attended the first movements of the insurgents. The attacks of the French were in many instances gallantly repelled; a large division of their army was forced to surrender at Baylen, and the numbers of the intruders were daily lessened by what would under any other circumstances be called assassinations. Encouraged by these fortunate events, and with a view to give greater union and energy to the efforts of the patriots, a Supreme Central Junta, composed of deputies from all the other Juntas, was at length established at Seville; which, acting in the name of the captive Ferdinand the Seventh, claimed from every Spanish subject the respect and obedience due, under other circumstances. to that monarch himself.

In Spanish America the news of the imprisonment and abdication of the royal personages produced every where, upon the minds of the people, effects similar to those which an earthquake causes in the physical world. It shook and unsettled the whole social system; no one viewed it with indifference: all looked forward to the consequences with anxiety. The feelings excited were, however, by no means of a uniform character; and the only sentiment which seems to have been in common to the whole population was that of antipathy to the French.

At Havana, the Captain General, Someruelos, immediately declared his intention to uphold the cause of the dethroned monarch, in which he was sustained by the officers

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of the Government, the military, and the people at large; and it may here be observed, that no general disposition has ever been evinced by the inhabitants of Cuba or Porto Rico to withdraw from their connection with Spain.

On the continent the same spirit of loyal adherence to the Bourbon princes was at first generally manifested; the agents of the Central Junta were received with respect wherever they appeared, and those of Joseph Buonaparte found no favor in any part of America. This might have been anticipated, as the only persons from whom such first expressions of opinion could come, were the officers of government and other privileged Spaniards, all interested in maintaining the existing state of things. In Buenos Ayres, indeed, Liniers, who had been raised to the Viceroyalty in reward for his gallantry during the British invasion, appeared inclined to favor the cause of the new sovereign, or at least to await the course of events in Spain, insisting that, under all circumstances, America should remain attached to that kingdom. This middle course, however, neither pleased the Spaniards at Buenos Ayres, nor the Supreme Junta, which was at that time elated by the successes of the first attempts at resistance to the French; Liniers was in consequence displaced, and Don Baltasar de Cisneros was sent out from Spain to act in his stead.

In New Grenada, the Viceroy, Don Antonio Amar, convoked at his capital, Santa Fé de Bogotá, an assembly consisting of the members of the *Audiencia* and other officers of government, together with the most notable Spaniards, in order to receive the communication brought by the Commissioner of the Supreme Junta; with their assent, he formally acknowledged Ferdinand as the sovereign, declaring war at the same time against the Buonapartes. Similar proceedings took place at Popayan and Quito, and no opposition was made to the authority of Spain in any part of South America during that year. The people, however, in every quarter, or rather a few of the better educated and reflecting persons among them, became convinced that the period was approaching in which they might venture to assert their rights to a share in the direction of the affairs of their country, and began in secrecy to prepare themselves for the struggle.

It was in Mexico that the disposition to insubordination on the part of the Americans was first openly manifested. The dethronement of the royal family was proclaimed to the inhabitants on the 20th of July, 1808, by the Viceroy, Don José Iturrigaray, who declared, at the same time, his resolution to uphold their cause in New Spain. The fact of the establishment of the Central Junta was soon afterwards made known in the same manner, and the people were required to submit to its mandates; to this, however, the *Ayuntamiento*, or municipality, of the capital, composed of native Mexicans, demurred, and conceiving the opportunity favorable, addressed a proposition to the Viceroy for the formation of a similar board of government in Mexico, to be composed of deputies from the several *Ayuntamientos* of the kingdom. Iturrigaray was inclined to assent to their proposition, but the *Audiencia*, which was of course opposed to it, finding its remonstrances vain, caused the Viceroy to be arrested in his palace on the night of the 15th of September, and appointed the Archbishop Lizana to fulfil his duties temporarily. They then commenced a system of arbitrary and violent proceedings against the members of the *Ayuntamiento*, and others who had favored their plans, which effectually smothered all open resistance to the authority of the Central Junta, while it increased the disposition of the people to a separation from Spain. These bold measures were approved by the Central Junta; which, in consequence, of the incapacity of the Archbishop having become apparent, invested the Audiencia with the powers of a Viceroy until another regular appointment could be made.

The year 1809 was a period of disasters to the cause of the patriots in Spain. The French overran nearly the whole kingdom, and the Central Junta, driven from Madrid to Seville, was at length obliged to fly from that city to Cadiz, the only important spot not occupied by the invaders. The inefficiency of this body had become evident even to its own members, who, at length, though unwillingly, agreed to surrender their assumed powers. Before doing this, however, as a last resort, they summoned a Cortes, or general council of the representatives of the nation, which

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was to meet in Cadiz on the 1st of March following, and to which the American provinces were invited to send deputies, as integrant parts of the empire; until the American deputies could arrive, their places were to be supplied by persons chosen in Spain. The Supreme Junta then appointed a Regency, composed of five individuals, to whose hands they, in the beginning of February, 1810, committed the direction of affairs, until the representatives of the nation could meet. The Regency immediately addressed a circular decree to the different provinces of the Indies, calling upon them without delay to elect their deputies, who were to be in number twenty-six; this decree was accompanied by an appeal to the people, reminding them that "*they were now raised to the dignity of freemen*," and imploring those who would be called on to vote for the deputies, to remember that "*their lot no longer depended upon the will of Kings, Viceroys, or Governors, but would be determined by themselves.*"

These proceedings of the Supreme Junta and the Regency were considered by most persons in America as equivalent to a repeal of the whole existing system of government by the only bodies whose authority was recognized in those countries. It may be conceived what feelings they excited in the breasts of those with whom the favorite maxim was, that, "*While one Spaniard remained, he had a right to govern the Americans.*" The first blows for independence had, however been already struck.

The reverses sustained by the Spaniards, and the probability every day becoming greater that the French would succeed in establishing their dominion in Spain, had encouraged the Americans to hope that they should soon be able to free themselves from the authority of that country; while, on the other hand, they created differences of opinion among the Spaniards, many of whom began to entertain the same views which had been expressed by Liniers regarding the necessity of maintaining the connection between America and Spain, as had been done during the dispute for the throne between Philip of Bourbon and the Arch-Duke Charles of Austria, a century previous. Under these circumstances parties were formed among the people, and the ferment daily becoming greater, a slight cause might any where serve to excite a flame.

The first attempt at self-government was made in La Paz, a town in the interior of La Plata, distant more than fifteen hundred miles from the capitol of Buenos Ayres. Here, on the 25th of May, 1809, the people suddenly deposed the authorities, and established in their place an administrative council called the *Junta Tuitiva*, formed upon the model of the Spanish Juntas, which was declared to possess the powers of Government, while the Sovereign remained in captivity. The news of this insurrection speedily reached Lima, upon which the Viceroy immediately despatched a large force under General Goyaneche, a native of the country. Similar measures were taken by Cisneros, at Buenos Ayres, and the insurgents found themselves attacked by a large body of regular troops, whom they had no means of resisting. La Paz was taken by storm, a number of its inhabitants were massacred, and the surviving instigators of the rebellion were sent to Buenos Ayres, where they also suffered death.

Such was the melancholy result of the first decided step taken in opposition to the constituted Government; the second was attended by similar consequences.

In the early part of 1809, some of the principal inhabitants of Quito were seized by the President of the Audiencia, (which, as before observed, exercised nearly all the powers of government over those provinces,) and put upon trial for an alleged conspiracy, having as its object the establishment of an independent state in that part of South America. Before their trial was concluded, however, on the night of the 10th of August following, the President, the *Oidores*, and other principal Spaniards, were arrested by a number of armed citizens of the place, and a commission of government was quietly installed, under the title of the *Supreme Junta of the Kingdom of Quito*, to which the provinces of Guayaquil, Popayan, and Panama, were invited to unite themselves. This commission soon produced a constitution professing obedience and fidelity to King Ferdinand the Seventh, and disavowing, at the same time, the authority of King Joseph and of the Supreme Junta in Spain.

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When the news of these occurrences reached Santa Fé, the Viceroy, being uncertain how to act, again called an assembly of notables, to which, however, he thought it prudent to invite a number of the most distinguished natives of the place and its vicinity. The Spaniards recommended that the insurrection, as they termed it, should be immediately put down by force, and the rebels punished rigorously; the Americans, however, emboldened by the successes of the French in Spain, contended that the people of Quito had only exercised their right, and that their example was worthy of imitation in New Grenada. The dispute between the parties became so violent, that the Viceroy at length thought proper to do what he had first determined, namely, to send forces against the insurgents. The same resolution had also been taken by Abascal, the Viceroy of Peru, who had already despatched fifteen hundred troops, nearly the whole of them mulattos, towards Quito.

The Junta of Quito, thus finding itself placed between two fires, was obliged to resign its assumed powers, and to liberate the President and other Spanish authorities, whom they entreated to intercede in their behalf. The troops from Peru entered the city first, and as soon as they were masters of the place, began indiscriminately to murder and plunder the inhabitants; in this they were aided by the Spanish soldiers who had been imprisoned during the existence of the Junta, and they were imitated afterwards by those sent from Santa Fé, without any attempt having been made by the officers of the government to restrain them. The endeavours of the people in the adjoining provinces, to overthrow the Spanish rulers, were also speedily put down, principally by the exertions of Don Miguel Tacon, who then, as Governor of Popayan, displayed the same activity, energy, and relentless severity, of which he is now daily giving proofs as Captain-General of Cuba.

The conduct of the government officers and forces at La Paz and Quito excited horror and detestation wherever they became known; and as the news of the reverses in Spain arrived, the American patriots were encouraged to hope for retribution. At length they were informed of the entry of the French into Seville, of the dissolution of the Central Junta, of the convocation of the Cortes, and of the establishment of the Regency; all which circumstances they considered as affording additional resources to their cause. Even the concession of the representative privilege, thus tardily made, could easily be construed as an acknowledgment of the weakness of their oppressors; while the comparatively small number of deputies allowed to all the American provinces, and the restriction of the right of voting to persons of purely European blood, served to prove that this concession was intended to be merely nominal.

The same feelings and views predominated in almost every part of the continent, and were manifested nearly in the same manner, although certainly without concert. In Caraccas, the capital of Venezuela, the Spanish authorities were, on the 19th of April, 1810, deposed, without any resistance on their part, and a Supreme Junta of citizens was invested with the powers of government. In Carthagena, the Governor, Montes, was, after some difficulties, put on board a vessel, and sent off to Cuba, by the Ayuntamiento, which acted in his stead. In Santa Fé de Bogotá, disturbances began on the 20th of July, the result of which was the establishment of a Junta for the administration of the affairs of the Regency, in the name of Ferdinand the Seventh; the Viceroy and *Oidores* were imprisoned, and afterwards sent to Spain. In Quito and many other places, similar proceedings occurred, which were attended with similar consequences.

In Buenos Ayres, the inhabitants held a meeting, in which it was determined that the Viceroy should resign his power, and a Provisional Junta should be formed. These resolutions were instantly carried into effect; the Viceroy, the members of the *Audiencia*, and other obnoxious individuals were sent out of the country, and a General Congress was convoked. Liniers, who had lived in retirement at Cordova since he had been superseded, was the first to oppose the revolutionists at the head of a small force; he was however defeated, made prisoner, and together with all the other chiefs of his party, except the Bishop of Cordova, was put to death. The patriots of La Plata were afterwards successively attacked by the Spaniards who had

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retained possession of Montevideo, by the Portuguese from Brazil, and by the forces of the Viceroy of Peru; but, after many bloody engagements, they forced their new Viceroy, Elio, to conclude a treaty with them, and finally remained masters of their own territory.

In Santiago, the capital of Chili, the Captain General Carrasco, a weak and passionate man, was obliged to resign. A Provisional Junta was chosen on the 18th of September, and a National Congress was summoned, to meet in July of the following year.

In all these cases the revolution was commenced either by authorities already constituted, such as the Ayuntamientos, or by the more enlightened part of the population; it was based upon the necessity, or the pretence, of providing for the safety of the country at a moment when the powers of government were supposed to be suspended, and the newly established authorities for some time professed to act in the name of the imprisoned Sovereign. In Mexico, the first attempts at a change were made in the same manner, and, as we have shown, proved unsuccessful; they, sufficed, however, to excite a restless spirit among the people which was increased by the violent proceedings of the *Audiencia*.

As the disasters of the Spanish forces became known throughout Mexico, the hopes of the Americans revived, and associations were secretly formed in various parts of the country, with the view to arrange plans for action at a favorable period. The Government was, however, also on the alert, and daily gave proofs of its watchfulness and energy, by the arrest and punishment of suspected persons; in this manner it prevented an insurrection at the city of Valladolid, in May, 1810, by the seizure of the principal conspirators, just as all had been prepared for an outbreak. Whilst the public mind was in this combustible state, Don Francisco Xavier Venegas, who had been appointed Viceroy by the Regency established at Cadiz, arrived in Mexico; and, instead of endeavouring to soothe and conciliate the people, most imprudently continued, with even greater rigor, the measures of repression and vengeance which had been pursued by the High Court. No hopes were now left, either of indemnity for those who had compromised themselves and were willing to recede, or of the establishment of more just principles of government, for those by whom the existing abuses could no longer be borne. A single spark produced the conflagration.

On the 13th of September, 1810, Miguel Hidalgo, the Curate of the little town of Dolores in the province of Guanaxuato, after having from his pulpit harangued his congregation upon the subject of the grievances to which they were subjected by the Spaniards, called upon them to arise and destroy the power of their oppressors. The people, excited to the highest degree of enthusiasm by his discourse, with one voice declared their willingness to follow him; he readily consented to be their leader, and unfurling a flag, on which was rudely painted a copy of the wonder-working picture of the Virgin of Guadeloupe, he sallied forth to attack the European residents of the place; these were soon overpowered, and their property, distributed among the insurgents, gave to the latter additional means of offence, and stimulated them to farther exertions. The news of the attempt spread rapidly among the surrounding villages, where similar proceedings took place, and in less than a fortnight after, the late humble Curate of Dolores, now self-styled Captain-General of Mexico, appeared before the large and splendid city of Guanaxuato at the head of twenty thousand men. Of these a few hundred were regular troops, brought over by three native officers of the royal army, Allende, Abasolo and Aldama, who had joined the Curate's standard; the remainder were nearly all Indians, peasants, or other laborers, generally unprovided with fire-arms, and unacquainted with their use.

Upon the approach of the insurgents, the people of Guanaxuato, most of whom were engaged in mining, exhibited such unequivocal signs of insubordination, that the Intendant, Rianon, thought proper to abandon the defence of the place, and to shut himself up with the other white inhabitants, and their portable property, in the public granary, where he hoped to be able to maintain himself until he could be relieved. His fortress was, however, stormed on the 28th of September; the Intendant was killed while defending it, and of the European inhabitants of Guanaxuato, there was, soon after, scarcely one alive.

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Venegas had, in the meantime, made preparations to resist. The Archbishop first formally excommunicated Hidalgo, and, this measure having been adopted, troops were sent out against him. The Spanish soldiers, at the Viceroy's disposal, were few in number but well disciplined; besides these, were some regiments of native regulars, whose adherence to the royal cause might reasonably be doubted. Had the latter joined Hidalgo, the contest would, in all probability, have been at once decided in his favour; Venegas, however, determined to trust them, and they set out with the Spaniards to meet the insurgents, under the command of one of their countrymen, Lieutenant Augustin Iturbide.

The two armies met, on the 30th of October, at Cruces, a place almost in sight of Mexico, to which the insurgents had advanced from Guanaxuato. The Curate's forces were supposed to have been in number not less than sixty thousand; those of the Viceroy, commanded by Colonel Truxillo, did not exceed seven thousand. In the first action, as might have been reasonably anticipated, the royal troops were worsted; the native regulars, however, behaved with gallantry and determination, and it was easy to see that the undisciplined and badly armed mob of Indians, of which the Curate's army consisted almost entirely, would be unable to resist the attack of a force much larger than that which had been repulsed.

Hidalgo also became aware of this, and commenced a retreat, in which he was pursued by the Viceroy's troops, under the command of Don Felix Maria Calleja, and defeated on the 7th of November, at Aculco. The indefatigable priest, however, soon raised another force at the city of Guadalaxara, which was visited by his cruelties and extortions; but this was likewise overthrown by Calleja, and entirely dispersed on the 17th of January, 1811, at the bridge of Calderon, about seventy miles from the last mentioned city. Hidalgo, with some of his principal adherents, thence endeavoured to make their way to the United States; they were, however, betrayed, made prisoners, and tried at Chihuahua, where they were all shot.

These results convinced the leaders of the Mexican Insurgents, that no reliance could be placed on the forces which they could collect, in general engagements with disciplined troops, and that they could only hope to succeed by spreading their men over the country in detached masses; taking care, at the same time, to preserve their communications with each other open, so that they might, when expedient, be united into compact bodies. By this means the whole territory was occupied; the royal troops, as well as the inhabitants, were harrassed by bands of fierce marauders, agriculture was neglected, and the utmost misery every where prevailed. It was at this time that many persons rose into notice, who subsequently bore conspicuous parts in the history of the country; such as the priests Morelos and Matamoros,—the wild and chivalrous Indian, (or as same say mulatto) Guerrero, who began his career as a muleteer,—Rayon,—the Bravos, father and two sons, of whom one of the latter survives,—José Maria Fernandez, better known under the name of Guadeloupe Victoria, which his vanity induced him to assume,—and the cruel, beastly Father Torres.

In order to give consistency to the movements of these partisan leaders, a Junta was installed at Zitacuaro, in the province of Michoacan, under the protection of Morelos, who was considered as the chief of the revolutionists after the death of Hidalgo. This Junta, like those in other parts of America, professed to act in the name of King Ferdinand, and under this pretext endeavored to effect a compromise with the Viceroy; its propositions, however, were rejected, and the war continued to rage with fury in every part of this afflicted land.

To describe minutely the events which followed would be inconsistent with the design of these articles; we have, however, considered it proper to show in what manner the fiery ball of civil war was set in motion in each section of Spanish America, and what were the feelings which actuated the opposing parties at the commencement of the contest. In our next number a succinct view will be presented of their subsequent history, and of their present actual political condition.

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THE

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AND

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EXECUTIVE USURPATION.*

THE Whig Opposition of our day may be compared to that wonderful magician of the fiddle-stick, Paganini, with his single string. They have one perpetual note, on which, with every imaginable variety of voice and intonation, they are forever discoursing most eloquent music. *Executive Usurpation* is the incessant cry, in season and out of season, with which they 'pierce the vault profound',—in the hope, apparently, that clamorous perseverance may perchance accomplish what every other means have so long failed to effect, to destroy that foundation of popular confidence and affection upon which the present democratic Administration and its truly democratic policy are based.

It seems that this is still to be the key-note of Opposition, though a new variation is to be played upon it, with all the brilliant *fantasias* and *capriccios* so readily at the command of the fertile imaginations of Congressional choristers. Heretofore, the particular subject of denunciation has been the direct usurpation of legislative powers in the exercise of the executive functions, in defiance of Congress, by such measures as the removal of the deposites, and the free use of the veto power—diversified with interludes of alarming committees of investigation into the corrupt mysteries supposed to exist in the secret recesses of all the Executive departments. Now, the same general idea is to be brought forward, and kept before the public eye in another point of view, namely, the corrupt influence exercised upon Congress itself by the wiles and power, 'half seduction and half force', of this same Executive monster.

These efforts may very safely be left to share the same fate already so often and so emphatically adjudged, by the sagacity of public opinion, to those of a similar character, which have exhausted

* SPEECH of Mr. Cushing, of Massachusetts, on the Executive Powers, delivered in the House of Representatives, December 19th, 1837.—Washington. Gales & Seaton, 1838.

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themselves in vain on former occasions. We have no fears they can ever prevail to shake the ascendency of the Democratic influence. We feel that to be established high on a rock of strength, resting on the intelligence and integrity of the broad mass of the American people, far above the reach of the frothy waves of declamation which may toss and roar about its base. If the first premise of our political creed, confidence in the people, is not utterly false and void, we can have no apprehension as to the issue. The Whigs may make a very good Opposition,—in which relation the diversity of elements of which they are composed has, perhaps, a beneficial effect in keeping the party in power in check on so many different points,—but they can never succeed in a general contest for the possession of the administration of the Government. No party composed of such heterogeneous materials, and destitute of any other broad common principles, than the single bond of cohesion afforded by the common interest of Opposition, can ever expect to accomplish the overthrow of the great Democratic Party. The only means promising a hope of compassing that object—namely, a recourse to the unworthy attempt of the last contest, to carry the struggle into the House of Representatives, where intrigue might afford a chance denied by the fair action of the popular will—is never, we trust, destined to be again successful in this country.

It is not, then, from alarm at any possible danger to be apprehended from this quarter of attack, that we make the little *libellus*, whose title is prefixed to this article, the occasion of a review. But rather because the subject is not only in itself one of deep interest to the student of the philosophy of our system of government, but at the present period—the commencement of posterity with respect to the administration of the extraordinary man who lately filled the Executive office—it presents itself in a point of view of peculiar interest; and the glorious though stormy history of that administration exhibits certain remarkable features to some of which we wish to direct attention.

We concede the broad fact, that during the late administration the influence of the Executive branch of our complex system was developed to a degree of energy and power unknown to former administrations. We acknowledge a deep-seated distrust and dislike of excessive Executive influence—yet do we see nothing in this concession to sully one leaf of the crown of civic glory which that noble old chief has added to his well earned military laurels, nor to weaken the reverential gratitude due to his honored memory. This concession is not commonly made, from the habit into which our political controversies have run, of indiscriminate attack and denial; each side placing itself sometimes in *the wrong* from the sole cause of its unwillingness to concede any portion of *the right* to its antagonist. There is no reason, however, to shrink from a frank avow-

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al of it,—a sound and just cause has nothing to lose, but every thing to gain, in truth and candor. It may generally be taken for granted that in political parties, as in religious sects, there is some portion of truth, however overladen with error, in all,—which in fact constitutes the sole element of vitality that preserves the whole mass from immediate dissolution; and the most effectual way to destroy error is to pluck from it that support of partial truth, to which it always instinctively seeks to attach itself. There has, then, been some portion of truth—grossly, indeed, perverted and abused—in the charge of the extension of Executive power, which has of late years constituted the principal rallying cry of the Opposition. In this has consisted its strength and life,—far more effective than even the potent moneyed interests which have been involved in it. This has constituted its sole title to the venerable and noble old party name which it has so fraudulently usurped; and it has been only by the use of an eloquent sophistry and dazzling declamation on this theme, appealing to our natural distrust of monarchical powers, that it has been able to delude so large a portion of the public mind in some sections of the country, into an unnatural hostility to an administration, than which our country has not seen a more honest, sound and purely democratic. The only way of effectually disarming the Opposition of this its principal weapon of attack, is by meeting it openly and frankly.

The truth is, that the Executive branch of our system was intended by its authors to possess a high degree of powerful, substantive, and original energy, as one of the three co-ordinate departments into which the system was divided. All familiar with the ideas and views which were compromised in the formation of the Constitution, know, that a large proportion of the most influential members of the Convention were in favor of even a far more powerful Executive, than was the result of the profound deliberations of that wonderful body of men. And such as it was, it is well known to all, that the preponderant monarchical character of the Executive, as created and endowed with power by that instrument, was perhaps the objection the most strenuously urged against it by the party which opposed its adoption. It was opposed by a large portion of the Democratic party of that day, with whom popular liberty was the cardinal idea,—from their distrust of the vast powers with which it armed the Federal centre, and especially its Executive; and its adoption was considered a triumph of the party which favored rather the strength and majesty of energetic, controlling, governmental power. This remark is true only in a broad sense, for—from its very character as a great compromise—it united in its behalf such a proportion of all parties and all views as to compose a large majority of the whole people; and many eminent democrats were most earnest in their exertions for its adoption. They knew the native might of the democratic element in every mixed system, however hampered with forms

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and controlling checks. They knew that, with all the aristocratic and monarchical features which were conceded to satisfy the views of the different parties represented in the Convention, there was left a sufficient infusion of democracy to acquire, in the course of time, the ascendency and control over the whole; they knew that that would and must become the animating spirit of all its forms and checks, which it would conquer, in succession, to itself; and that thus all would contribute to its own energetic, though deliberate and wise efficiency. For this reason it was that they did not fear to entrust large and active powers to the Executive,—because they knew that those powers never could be abused to any very formidable extent, as they never could be efficient for any purpose, without the support of reason, wisdom, patriotism, and the approval of public opinion. They made the Executive powerful for good, and impotent for evil. Responsibility to public opinion was the all-sufficient check (independently of the co-ordinate departments of the Government) with which they paralysed its powers, whenever they should tend to a direction hostile to the democratic principles which must ever animate the mass of the people. And never, indeed, has a political system been contrived, in which, while an ample independent energy is infused into the Executive arm, it has been so admirably regulated by all the most effectual restraints upon the possible abuse of its powers. Those powers are certainly vast. In some respects, we confess, the remark is not destitute of truth, which has been made by foreigners, that they are greater than those possessed by the Executive in the constitutional monarchy of England,—though on the whole, that assertion is immeasurably wide of the fact. The correct version of it is, that in all subjects of personal power, influence and splendor—all that can tempt or gratify a corrupt ambition—our Executive is comparatively nothing; while, in his proper sphere of public duty, as the representative and agent of the People, to carry fully and energetically into effect their will, the Law, his executive power is not inferior, either in the the theory or the practical operation, to that of the constitutional monarch of Europe,—and this is the highest eulogium that can be pronounced upon the admirable wisdom that organized the system.

There can be no doubt that it was a primary idea with the framers of the Constitution, to preserve widely and inviolably distinct the three departments of the Government, the Legislative, the Executive, and the Judicial,—excepting only the points of mutual contact specifically prescribed, to which, as exceptions to a general rule, the strictest construction is to be applied. Without examining here the relations between the Executive and the Judiciary, we have now in view chiefly those subsisting between the former and the Legislature. The distribution of power is unquestionably one of the essential principles on which, in connection with the kindred one of

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frequent responsibility to the sovereign source of all, the healthy action of free institutions depends. The evil consequences of Legislative encroachment on the Executive duties and rights, are certainly not less to be deprecated than those of Executive influence over the independence of the Legislature. In point of weight, dignity, and independent responsibility, the respective departments, in their distinct constitutional spheres, stand on a footing of perfect equality and equilibrium. Both are equally agents and servants of the People, each independent of the other, and each responsible to the common origin of power alone. Each maintains the representative relation towards the People, determined by election, in different modes and with different respective terms of office; and in the discharge of those functions in which they unite in concurrent action, both stand on distinct grounds of independent equality,—each bound to obey the dictates of its own judgment and its own conscience, on its separate responsibility, to the People from the obligation of its representative character, and to God from the obligation of the constitutional oath,—without any deference to the authority or influence of the other. The Constitution assigns to the President a participation in the legislative action of the Government, both in the right of recommendation and that of the veto; nor can there be any question that such a constitutional right is equally a duty. In exercise of that right, which is the performance of that duty,—a duty not to be neglected without a clear faithlessness to his trust and his oath, the Executive is entitled and bound to judge for itself, from its own best wisdom and purest motive, of its course on each particular occasion. The veto power is no idle form. It is a substantive reality, a vital element of the system. The framers of the Constitution had a wholesome distrust of the infallibility of majorities in Congress, which are often not only in error, but far from being a correct representation of the existing state of the public opinion; and they were wise in superadding a third revision of their legislation, in addition to the mutual check exercised by the two Houses upon each other. Conferring power, they intended it unquestionably to be used. It is, at the utmost, but a limited power. It is absolute only when it is supported by a large proportion of the legislative department itself, and even then its effect is merely suspensive, to refer the subject in question back to the people—to whose hands none certainly ought to object to entrust any and every subject. If they do not approve of the grounds on which the Executive has ventured upon that responsibility, their breath can, after a delay that is entirely insignificant in legislation upon important public interests, control his opposition, by the constitutional means of a two-thirds vote, even if a President should feel himself at liberty to repeat his veto after a second decided expression of the will of the majority through the two Houses of Congress. The prejudice which has been raised in the minds of

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many against the Executive veto is certainly a false idea. The attempt which has been so strenuously urged by the Opposition (on the cue taken from the speeches of a very eminent Senator) to cast odium upon it as a means of attack upon the late administration—on the ground of its being a monarchical feature borrowed from the English model—exhibits an equal ignorance of the true character of the British constitution, and contempt for the intelligence of the American people. It is true that the King of England possesses the absolute veto power, intended as a last retreat for the defence of prerogative. It is also true that it is a power never used,—and probable that, in such circumstances as should reduce the crown to that extremity, if attempted against the absolute omnipotence of the great aristocracy and the commonalty united, as embodied in the two Houses of Parliament, it might cost a king both his crown and his head. But the inference is utterly fallacious, that an odium of a nature at all similar ought justly to attach to its exercise in our system of government. The English Crown is never driven to that resort, by reason of the other ample powers with which it is clothed, to control the action of Parliament,—which are, the ability at any time to create a majority in the House of Lords (as was done by Queen Anne)—the immense powers of corruption at its disposal, made always effectual by the perpetual tenure of the upper, and the septennial tenure of the lower, House of Parliament,—powers which have notoriously (till within late years) held the House of Commons in constant subserviency to the crown—and finally the powers of prorogation and dissolution. But the Presidential veto of our system is of an entirely different nature. It is a democratic, and not a monarchical, power. It is the only means by which, on unexpected occasions which may arise, a suspensive restraint may be imposed, through the democratic influence of the Executive, upon improper legislation; and if, in its adoption, a portion of the framers of the Constitution may have had an eye to their favorite English precedent, there can be no doubt that another portion looked farther back into history for a prototype, and found it in the veto power of the tribunes of ancient Rome,—the especial representatives and guardians of the democracy of the state. We regard it as an invaluable feature of our system,—without it where would the country now have been? The tendency of unrestrained legislation to overaction is rapid enough, and is, we consider, one of the worst evils with which society is afflicted; and we ought rather to desire to multiply suspensive restraints upon it, than object to those already imposed by the organic law of our system. We cannot see with what shadow of justice the Executive can be arraigned for this legitimate exercise of a constitutional function. His legal and moral right to apply it, whenever his honest judgment dictates it as his duty, is not more open to question,

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than that of either House of Congress upon the other; and every such attack upon the Executive is a direct attack upon the Constitution itself—and upon a vital part—which comes with an ill grace from those who claim to be its especial defenders from innovation.

The fact is, that from the Opposition have proceeded, and are proceeding, innovations upon the true and long established doctrines of the Constitution, which would prove most dangerous in practice, if adopted and permitted to be carried out to their consequences. We will here refer only to the doctrine on the subject of Executive powers, which has of late years been especially urged by some of their most eminent leaders, and which is embodied in the speech to which we have referred above, being adopted from the late expositions of "the ablest defender of the Constitution," in the Senate. It is this:—that the idea of the independence of the Executive is a fallacy; that it is only from Congress that he derives his vital energy, and control over the various departments of the Executive administration; and that he has no right to hold them amenable to his supervision by the power of removal (for which the concurrence of the Senate is claimed), but that their relation of dependence is rather upon Congress than upon the Executive. To support this flagrant heresy of constitutional doctrine, they read in the clause which says that "the Executive power is vested in a President," only *a description of the person* who is to exercise those executive functions which are afterwards enumerated, or which may be reposed in him by law for the execution of acts of Congress—as a mere caption to that portion of the instrument; and ask whether, if any substantive rights are to be considered as involved in that designation, they are those of a British, a French, a Russian, or peradventure, a Turkish, Executive?

This doctrine centralizes in the Legislature all the distinct powers of the different departments of the Government, and the application of it was openly made by Mr. Webster, that it empowered Congress to make any such provision in a law, as it might think proper, for its execution, by bestowing on the officer to be created under it a tenure of office independent of the President and responsible only to Congress. Another application of it subjects the President's right of removal to the control of the Senate, as an implication from its right of negative upon his appointments to office.

We shall not dwell upon the superfluous task of combatting such heresies,—fortunately they belong to that class which refute themselves in the statement of them, and that they should be seriously urged is only another evidence of the influence of the passion and prejudice of partisanship to mislead the judgment. It is sufficient to refer to the plain intent of the framers of the Constitution to distribute the powers of Government, and preserve them distinct in their respective spheres of action,—to the contempora-

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neous exposition of the memorable debates in the first Congress, and the uniform established construction of nearly half a century,—to the general responsibility specially imposed upon him in the broadest terms, of seeing that all the laws be faithfully executed. It is a fallacy urged by all partisans of arbitrary government, that there is no possible line of demarcation between the executive and legislative functions, that the former word conveys no distinct and substantive idea; while the opposite view, not only of the possibility of such a complete distinction, but of its necessity to any system of free institutions, has ever been a cardinal idea of liberal writers, and was perfectly familiar to the men of that day, and held in unquestioned reverence by them.

Their creation of the American Executive was certainly a grand and noble performance. When we consider the liberal boldness with which they endowed it with independent power and energy—the admirable restraints, both of a moral nature and the checks of the co-ordinate departments of the Government, by which they at the same time precluded all possibility of dangerous abuse—together with that stupendous idea, of his individual responsibility for the whole great scheme of executive administration of the laws, of which he is the directing head—we confess that it seems to us one of the most sublime monuments of the gigantic intellectual stature of the men of those days that they have left behind them.

It is not easy for us to expand our vision so as to take in a complete view of this grand scheme, in its actual practical operation. Begin from the circumference of the circle, and gather up the leading threads of the ideas, till they classify themselves, in successive series, mutually connected and dependent, and finally meeting in the one common centre which is made to sustain the responsibility of the whole, directing and animating, by its supervision and control, the due action of each, in the discharge of its proper function. Consider first the manifold complexity of the foreign relations of the country, administered through the resident agents of various grades from the plenipotentiary to the consul, all under the control of the President, through the State Department, responsible to him, and receiving direct instructions for the conduct of all their various negotiations and business. Then the army and navy, ramified out through countless branches and details of administration, all under the vigilant supervision of those respective Departments, the heads of which are in close relation and daily intercourse with the President as their responsible chief. The vast Post Office system, forever throbbing, in its unresting circulation, through its myriad fibres, over the whole length and breadth of this mighty land. And finally the Treasury Department, through which the revenue which constitutes the sustaining aliment of the whole, is collected and administered. We have not space for more than this general allusion to

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the broad outlines of the system; the task of filling in the details must be left to the reader's own imagination. And what is the animating principle which preserves all those complicated tens of thousands of details in that state of health and efficiency, which has been and is daily witnessed, in the highest degree compatible with the imperfection of human institutions? It is the great principle of *responsibility*, diffused with equal energy throughout the whole, from apex to base, from centre to circumference. Every part depends upon the vigilant supervision of another, a perpetual and prompt discipline keeping all in unrelaxing check, till finally the Atlantean burthen of the general responsibility of the whole rests on the shoulders of the one individual designated by the voice of his country to the nobly arduous duty. This idea has been made a subject of ridicule by some whose minds have not expanded to the comprehension of the sublime design of the authors of the system, asking how the individual can be held responsible for the working of every detail of such an enormous machine, so infinitely beyond the possibility of his own personal cognisance. But the answer is obvious, that that responsibility is not the less real and effectual that it is merely of a supervisory character, and subject, as of course, to the limitation of a common-sense understanding of its nature and extent. The President dictates the general principles on which the action of the whole is to be administered, and requires the faithful adherence to them of all his immediate agents, and their official subordinates, through their successive degrees of dependence and responsibility,—which can be practically and promptly enforced only by the ever impending check of removal and punishment. He is not of course held personally accountable for individual delinquencies; but he is so accountable, for the principles on which the different departments of administration are conducted, as also for the selection of improper agents, or their continuance in office after evidence of disqualification, as to constitute precisely that real supervisory responsibility which is necessary to secure the maintainance of a uniform and vigilant discipline throughout the whole.

The responsibility of the President himself is to the People,—for that to Congress, through the means of impeachment, we are willing here to put out of the question, as applicable only to extreme cases; and the possibility is scarcely to be conceived of a President's so far outraging the far more potent moral restraints which forever press upon him, from every direction, as a sort of atmosphere, as to become justly amenable to impeachment. In the first place, no man can ever hope to attain that position who has not, by a long life devoted to the public service, and full in the public eye, secured for himself an eminent character for wisdom, integrity and patriotism. And then, after he has reached that last crowning round of the ladder of ambition, how many and powerful the motives which must

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combine to incite him to the purest devotion to his country's best interests,—his past character—the confidence of a noble and free nation to which his gratitude is so eminently due—his declining years—the example of his god-like predecessors—his individual responsibility—the unrelaxing vigilance with which he is watched and checked by the Opposition—the knowledge of the one broad fact, that his whole power consists in the support of public opinion, and that the slightest attempt to sacrifice the public interests, or the fundamental principles of liberty which lie at the heart's core of the people, to any petty personal interests of his own, would not only blight his good fame through all posterity, and wither every past-earned laurel, but would at the same time utterly paralyse all possible ability to gratify his corrupt motives—these are restraints upon the misuse of Executive powers far more potent than even the most direct control of co-ordinate official checks. The nature and force of these were well appreciated by the creators of the office, when they did not fear to entrust to that department of the system, though vested in an individual—with all the unity of counsel, and energy of action, of the individual mind—the independent Executive function, with the whole military and naval powers, the treaty power, the power of official patronage, and the veto power, in the degrees in which those powers are vested in the Executive by the Constitution.

Our principal intention was, however, rather to dwell upon some of the leading outlines of the history of the late Administration, than to discuss the subject of the Executive powers, in the abstract. It is one of great extent, and equal interest to the student of the noble science of politics; and to be complete would involve necessarily a view of the powers and functions of the departments with which it is combined, in a mutual and correlative connection, —*tria juncta in uno*,

Distinct as the billows, but one as the sea.

To this view of the subject we are unable here to afford even a general allusion, as we have been precluded by our limits from more than a rapid and broad outline of the character of the Executive office, regarded singly. We shall return to it on an early occasion. And to revert now to the point from which we set out, we repeat the concession, that the energies native to the Executive department have been more fully developed, in greater activity and power, within the last two Presidential terms than they had ever been before. Its full capabilities had never before been called forth by the pressure of circumstances; and it is, therefore, not surprising, that it was easy to make a considerable proportion of the people believe that Executive usurpation had encroached upon the constitutional

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rights of the other departments, and had seized with violent hand upon new and arbitrary powers, in derogation of the Constitution and the Law,—when, in fact, it had only exercised, more actively than had before been rendered necessary by the course of events, the real powers clearly vested in it by the spirit and letter of the organic law. All know that that period was one of agitation between tremendous elements,—of struggle between mighty principles and interests. Such periods bring out all existing powers, residing in the conflicting parties, though before perhaps dormant and latent, into full play and strife. It was a fearful contest—like a battle between armies of giants—between the democracy, and a vast centralized money power, possessing a strong influence over a large number of influential public men, over all the mercantile interests of the country, and over a large proportion of the press—*and moreover*, united in the closest bands of alliance, offensive and defensive, with the great Opposition party of the country. It raged vehemently on both sides. The Bank was determined to wring a recharter perforce from the hands of the Federal Government. The Opposition party was determined to make the Administration bite the dust, and to crown its victory with a renewal of that charter, and the perpetuation of the system of which it was the corner-stone. These were the powers, this was the object, against which the democracy was arrayed for a struggle to the death. In this cause the President was the champion of the democracy, leading the centre van of the battle; and it was equally a duty and a necessityto strain every nerve of the Executive arm, to maintain it, and lead it to victory. Yet did he never violate a single provision of the Constitution, or of any law. All the declamation which has been lavished upon that subject has failed to fasten that charge upon him, or prove a single specific instance. And all the energy which he wielded, in the powerful and daring blows which were struck in those times, was derived from the People alone. The democratic truth of the principles for which he was contending was the 'sign' by which he conquered. Without that sympathy, confidence, and zealous support of the People, he would have been utterly impotent,—it was but as their representative, worthily supported and cheered on by them, that he was mighty indeed.

The Executive may, in a general sense, be considered as peculiarly representing the democracy of the country, viewed as a vast whole. The Senate represents peculiarly the State sovereignties. The lower House represents the several local constituencies of the respective districts. The Executive is chosen by the total mass of the people of the States, as a nation; and it is to them that he has to appeal for support in his administration, and for the testimony of their approval by the re-election of either himself, or some other prominent member of the same party, whose administration would

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be animated by the same leading principles. He has perpetually a very delicate and difficult part to perform. The responsibilities of his position are incalculable, and press upon himself individually, without that distribution which almost neutralizes the efficacy of responsibility in large corporate bodies. His official patronage is a burthen and clog of a very oppressive character, from which there can be no President who does not sigh for relief. Assuming every office to be filled with his partisans, (and we do not hesitate to assert the fact, that *upwards of one-third* throughout the country are occupied by political opponents,) yet, for every friend whose interested support is thus obtained, he has not only to abide the embittered hostility of several disappointed applicants, but the zealous assaults of numerous expectants, of the Opposition party. Ten thousand battering engines are daily and hourly assailing the foundations of his power, with never-relaxing blows, of every degree of force, from every direction. Every administrative detail, the conduct and character of every subordinate officer, every public evil or distress from whatever cause arising, is a subject of partisan attack, and is made a means of general prejudice against his whole administration. Argument and sophistry, eloquence and declamation, truth and misrepresentation, the earnestness of mistaken enthusiasm and the ridicule of malicious wit, are forever busy, in countless modes and avenues of attack, in their unresting vocation to destroy that sensitive and exposed object, his popularity. It must, then, be manifest to all candid minds, that not only the power but the existence of the Executive depends upon his fidelity to those radical and eternal principles of democratic truth, which lie at the foundation of the national character of our people, as a great democracy.

We hope that those great powers resident in the Executive arm, may never again be called forth into activity by similar causes. There is no reason, we think, to apprehend it. They can only be aroused by a great impulse of the popular sentiment. They are but the sinews and muscles,—the latter alone is the vital energy of the will—without which the former are powerless as those of an infant. We trust that before a similar struggle can ever again arise—surprising the country in the condition in which it was found by the last, with both Legislature and Judiciary arrayed against the cause to which the Executive, supported by the democratic mass of the people, was alone true—the chief cause of such great public convulsions will be removed, by the disconnection of the Government from the moneyed interests of the country, and the restriction of the Federal action within narrower limits than has ever heretofore been the case. And this consummation, so devoutly to be wished, will be realized by those three great events now on the eve of accomplishment, namely, the establishment of an independent Treasury system for the administration of the public revenue—its collection and

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disbursement in specie alone—and the final extinction of the last vestige of the American System policy.

We are no friends to strong governmental action. We are no friends to powerful executive influence. We should be glad to see our Executive divested of the greater proportion of its official patronage, by an extension of the principle of popular election; and we even hope that the day will come, when the bond of connection and sympathy between the Executive and the democracy will be drawn yet closer by the desirable reform of annual elections. But we confess that, in a country and age of such principles and institutions as ours, we have at least as jealous a distrust of legislative as of executive power. The former is of a far more insidious character than the latter, being both less suspected, and exercised under responsibilities rendered almost intangible by distribution, while it exerts the infinitely more important power of making laws and creating systems—witness its National Bank, its Internal Improvement system, its Protective Tariff, its power of appropriation, by which it can more than double (as has recently been) the expenditures required for the administration of the Government itself. The latter is at the utmost but of an executive nature, ever bound by the adamantine fetters of the Law created by the other; and if, within those restrictions, it is endowed with energetic capabilities of action, they are but of a *suspensive* character, arresting partially the action of the other, until a decision by the supreme tribunal, of the public opinion and will, can be had upon the issue joined between the two. It is only to arrest the abuse of legislative power,—far more dangerous, because of a deep and permanent effect,—that they can come into play, in a mode somewhat analogous to the theory of the Tribunitian power in ancient Rome. Nor is it ever to be expected that an Executive would engage in such an appeal, except in great emergencies, when supported by profound convictions of right and duty, and by a strong sympathy of the democratic mass on which his power is wholly and immediately dependent. If he fails, he falls, and his ruin and that of his party are irretrievable. If he succeeds, the popular sanction relieves him of the responsibility of his acts,—leaving him only the glory of having greatly, wisely, and patriotically dared them.

Such, then, according to our conception of it, is the leading idea of the philosophy of the history of the late Administration. It was directed by one of the most extraordinary men of the age. Devoted to democratic principles—simple and plain in every habit of life—attached with a most ardent patriotism to his country and her best interests, according to his sincere understanding of them—with a wonderfully intuitive mind, whose natural solid strength and vigor had not been enervated by over-culture, or luxurious indulgence in the emasculate literature of the times—clear and sagacious in his

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judgments—strong in his convictions, and unyielding in his resolutions, when once formed, and not less fearless in their execution—of kindly and benevolent affections, and an unaffected sincerity of piety in his religion, though ardent and impetuous in his emotions—a good lover and as good a hater—prone to confidence, in the guileless truth of his own nature, but immitigable in his resentment and scorn when once deceived—a Cincinnatus to whose simple and honest patriotism any degree of even irresponsible power might with safety have been entrusted—Andrew Jackson seems to have been selected, by that sort of prophetic instinct often apparent in the impulses of great masses, as precisely the man for the time, to stand by the helm of state during the great convulsion of the elements which was approaching, and which was necessary to relieve and purify the political atmosphere, surcharged with the evil consequences of the abuses of legislation. The power of his influence was vast, both from the force of his own character, and, in an infinitely higher degree, because be acted as the champion and representative of the democracy. Yet was it of a sound and healthful character; for that species of baser influence attached to the dispensation of patronage,—from the disagreeable burthen of which no President can disembarrass himself—was but an insignificant element of his power. That power was a moral one; and it was by the legitimate means of direct intercourse with his constituency, the mass of the nation, by frequent appeals to them in state papers of remarkable force, that it was sustained. He used the great energies of his office, in accordance with the forms, and within the limits of the intention of the Constitution and the Laws, more boldly indeed, and perhaps farther than any former President had done, or had had need to do,—but he did so on a great emergency, in a period of mighty strife and agitation—when almost any means would have been justifiable to avert the evils threatened to the liberties of the country—for the popular cause, and in the sole strength of the popular support. The occasion has now passed,—the man that it required arose with it, and has passed with it, to take his place in history; and we trust that no necessity will ever again call out all the capabilities of the Executive department. It is now rapidly subsiding back to the old moderate routine, delayed partially for a while only till the consummation of the reform already in progress shall establish a permanent security, for the future, from all danger of similar agitations. The cry of Executive usurpation, so long effectual to animate a strong party zeal against the late Administration, is fast losing its power, and Congressional orators but waste their eloquence in the vain attempt to revive its exhausted *prestige*.

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OUR NEGLECTED POETS.

No. I.

WILLIAM MARTIN JOHNSON.

In the State of Massachusetts there are four towns rejoicing in the quaint names of Needham, and Wareham, and Wrentham, and Mendum. Modern refinement may perhaps have seen proper to reform this expressive nomenclature, as there is no knowing what it will stop at;—it is to be hoped not, however. The town of Wrentham, the one with which we have now to do, is in Norfolk county, nearly midway between Boston and Providence; and has long been famous for its manufactures, especially of cotton goods and straw bonnets. About the year 1775, a sea captain by the name of Ebenezer Albee, though in low circumstances, had withdrawn from active life, and settled down at Wrentham. He was a man of great kindness of heart, but blunt in his manners, and boisterous in his temper. He had no children. He was fond of reading,—but, unfortunately, with the revolutionary sentiments of the day in politics, he had also imbibed those which, in the general agitation of ideas of the time, were too prevalent in religion.

A vagabond pair, concerning whose origin nothing can be learned, were in the habit of prowling Massachusetts and Connecticut on foot, sometimes together, sometimes apart,—but in either case both of them often reeling under the influence of the Bacchus of New England, cyder. They had all the tastes and habits of wandering beggars. They had a child with them,—a squalid, unhealthy, but quick-witted, boy. No one knew whether they had ever been married; but they called themselves Johnson, and said the child was theirs, and that his name was WILLIAM MARTIN JOHNSON. The father never took much notice of the boy. The mother always seemed to have a strong attachment for him.

These rovers frequently came to the house of Captain Albee. The good-hearted Captain had ceased to hope for children of his own. Little Johnson's answers and observations delighted him. He proposed to adopt the boy. The father was pleased with the chance of getting rid of a burthen. The mother was reluctant to give up her child. Finally, however, with tears, she consented. For awhile

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she occasionally visited him; but ere long was seen no more. Thus did the subject of this narrative enter within the pale of civilized and decent life.

Albee, by all accounts, among other habits of "a rude and boisterous captain of the sea," was somewhat given to the great vice of our country, intemperance. This may account for outbreaks of unreasonable passion, succeeded by fits of equally unmeasured indulgence, which rendered the situation of his adopted favorite very uneasy, and equally unpropitious to a sound formation of character. Still, the boy was strongly attached to his protector. Albee imparted to him all the instruction he had to communicate, and Johnson repaid his pains with an unusual precocity. He early learned to write his signature at full length, William Martin Johnson Albee. But the affectionate Captain had a sort of primitive puritanical, as well as maritime, respect for the efficacy of the rope's end and the rod, in education; and whenever he had nothing else to do, would belabor his favorite so heartily, that the boy would run away, and remain from home until there should be time for the paroxysm of discipline to give place to one of endearment, and then, like a beaten pet pup, he would creep back again to be caressed. It was not long before the lad began to get ahead of his domestic teacher in accomplishment and to add to his stock of solid and reputable knowledge, from the spelling book and the five first rules of cyphering, certain acquirements of an extremely doubtful virtue, which greatly alarmed the serious good people of Wrentham; for it was discovered that he could draw, and even that he could rhyme; and nobody could divine how these unhallowed arts could have been obtained by a child, in his position, unless through some vestiges of the witchcraft, which might have been still left, by imperfect exorcism, to disturb the but recently achieved repose of New England from the spirits of mischief. To this suspicion, it is likely, we may attribute divers misadventures which materially influenced the future career of young Johnson. When his protector had taught out all he himself knew, he considered the boy entitled to the advantage of such instruction as was to be derived from certain peripatetic pedagogues who used periodically to visit the villages of New England, for the purpose of qualifying young folks for college. Johnson was now about twelve years of age. His progress in Latin was rapid, and he got a smattering of Greek. But his teachers were often of the Dominie Sampson breed, and the boy had a quick sense of the ridiculous, and an unfortunate talent for expressing it, equally with the pen and pencil. His tasks were despatched with a rapidity perfectly inexplicable to the duller scholars and to the obtuse master; and the leisure which remained to him was usually devoted to the gratification of his taste for the roguery of caricature. Though he was so far from ever being found wanting in the fulfilment of his duties, that the rest of

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the boys could never get at all near him, his instructors thought it peculiarly unfair that his merits should deprive him of the benefits of flagellation; and as he was too perverse to give himself a legitimate claim to the birch, they would show their high consideration by favoring him with it as a sort of gratuitous perquisite. After any of these frequent scenes, the master would be greeted, either on scraps of paper scattered about the school-room, or in a colossal effigy charcoaled upon the wall, with a view of his own dignified person, set off by such grotesque additions as the artist's invention could supply, and flourishing the awful wand of inspiration over some screaming recipient of virtue and wisdom, most remorselessly administered. This style of retribution was not very likely to better his condition, and he was regarded as utterly irreclaimable. He would continue to escape and to return; but was, nevertheless, every day increasing his stock of knowledge; and at sixteen had added a very considerable progress in Algebra, to his acquirements in the languages.

As nearly as we can conjecture, it must have been about the year 1787, that young Johnson found employment with a store-keeper in Boston. His hand-writing was very beautiful, and he was a ready accountant. I am in possession of a sheet (amongst a great variety of interesting papers and relics of poor Johnson, which fell into my hands by a series of strange accidents,) covered with fragments in his autograph of that period; and among them the following broken lines, which I can well imagine were scribbled at the shop counter, in the intervals of the uncongenial task of posting the account book. They may have an interest to the reader, as affording an unconscious glimpse of his mind, and an illustration of the strange, rambling, unbalanced child of genius that he was at the time. They are all evidently the desultory extemporaneous effusion of the varying mood of the hour.

So the proud bubble strikes the eye,
With hues that with the diamond vie;
But search beyond its surface fair,
There's nothing found but empty air.

* * *

Pleas'd thus to worth the muse her tribute pays,
To worth, that well deserves a nobler praise—

* * *

As northern lights dance o'er the evening sky,
And strike with transient charms the admiring eye,
So o'er her face the hast'ning blushes flew—

* * *

Oh, follow then where nonsense leads the way,
Like idle flies that in the sunbeams play—

* * *

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On some good bit I'd always wish to dine,
And after dinner drink a glass of wine;
That, too, I'd have of the most generous sort,
Madeira, Sherry, or the best of Port—

——— With perhaps a good heart, but the worst face in nature.

* *

Where towering columns proudly rise,
And gilded spires invade the skies,
My humble wishes ne'er shall learn to rove,
Nor sigh for more than competence and love.

* * *

——— People who have no ideas out of the common road, are generally the greatest talkers, because all their thoughts are low enough for common conversation; whereas, those of more elevated understandings have ideas which they cannot easily communicate, except to persons of equal capacity with themselves.

* * *

The glowing sun, with life-infusing beam,
Impregns the vegetable world;—the flowers,
Not coy, nor shrinking from the warm embrace,
But sweetly wanton, blushing soft desires,
To meet his kisses, turn their nectary lips,
Incessant sipping, with increasing heat,
Till mutual vigour and intenser love
Their nuptials crown. The silver rustling rills,
With knotted rushes fringed * * * *
* * * * * * * and to the sun
Far glittering o'er the meadow's fragrant breast,
Hangs graceful, quivering to the breeze—

* * *

The following stanza is given as an imitation, apparently, from the French:

While thou art true, my fair, where'er I roam,
My heart shall sigh alone for thee;
But if another's conquest you become,
Thy capture, Delia, sets me free.

Of the following two epigrams, the first is from the Greek, upon a statue of Niobe:

To stone the Gods have chang'd her, but in vain,—
The Sculptor's art has made her breathe again.

———

Joe hates a hypocrite. It shows
Self-love is not a fault of Joe's.

With habits so desultory as those of young Johnson from the beginning, and with his taste for literature, it was scarcely to have been expected that he would remain, any very long time, the contented drudge of a Boston shop; and he did not. He was every now and

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then heard of, teaching at some little school, now here, now there, in Connecticut—at intervals returning to his first friends, the Albees, at Wrentham—sometimes in rags, sometimes in comfort and almost elegance; but in either case, always with a welcome. On one occasion, he is recollected to have appeared there in the garb of a sailor-boy, bearing, both in his dress and person, marks of ill usage at sea. The following scrap, scribbled on a fragment of paper, in his early handwriting, seems to refer to this disastrous adventure:

> God's miracles I'll praise on shore,
> And there his blessings reap;
> But from this moment seek no more
> His wonders on the deep!

From the next intelligence we can gather concerning him, he is, in the year 1790, at the head of a little school at Bridgehampton, on Long Island. He must then have been about nineteen. At this time, he had, no one could conjecture by what means, become a very excellent player on the violin, and had attained to remarkable skill in architectural planning and drawing. His musical acquirements were, of course, a great recommendation to the society of the rural belles; and his scraps of verse exhibit more susceptibility than constancy, for he had already begun to adore each and every pretty Nancy, and Phœbe, and Keturah, of each and every village, as a Venus for whom Jupiter would have forsaken all his other infidelities. He remained at Bridgehampton during the winter; when, having gathered together a little money, he seems to have first formed a resolution to undertake the study of medicine. At this time he found his way to the village of East-Hampton, also on Long Island, where he placed himself under the instruction of a very worthy and intelligent physician, by the name of Sage. So much of his time was taken up here between making verses and making love, that his amiable tutor was entirely at a loss to account for the progress he actually gained in his professional studies. By the close of the summer, his small stock of money being exhausted, Dr. Sage procured a school for him, at Smithtown, on another part of the Island, where he passed the following winter, returning with his savings in the spring, to resume his medical course at East-Hampton, which place seemed to have fastened itself more strongly around his heart, than any other, before or after, to the end of his life.

This attachment I can readily account for. I have myself visited East-Hampton; and, as it may assist my readers to enter into the feelings of the young poet who now took up his abode there, I will endeavour to give them such a knowledge of its characteristics, as that passing glance enabled me to obtain. It was settled, history says, at a very early period, from the opposite shores of Connecticut. It is situated on a gently undulating plain, some score of miles from the extreme eastern point of Long Island, and about seven from Sag

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Harbour. Within twenty minutes' walk is the Atlantic ocean, the waves of which may be always heard throughout the valley, "swinging slow with sullen roar," and the influence of which upon the trees is pointed out to the visitor, in the withered and discolored foliage of the two, among those lining the street, that stand exposed to the direct sweep of the sea-breeze. East-Hampton is a beautiful oasis, so surrounded by sands and barrenness, that the inhabitants are confined to farms barely sufficient to enable them, with patient industry and rigid economy, to draw thence the means of sustaining their families. The village is built on the two sides of a very wide grass-grown street; the most of its houses low, with one end to the street, and the roof of that old-fashioned and unintellectual form, which may be compared to a face without a forehead, shooting abruptly backward from the eyebrows, to the high phrenological bump of veneration, on the apex of the skull. The rooms are not lofty, and their walls are wainscoted, and their ceilings crossed with massive beams; and as you stand up on some superannuated millstone, 'fallen from its high estate' into a door-step, you occasionally open upon a three-cornered closet under the stairway, containing the venerable saddle and bridle, often not yet divorced from the social and affectionate pillion of the olden time, for the lady; the respectable seat of which aforesaid saddle has sustained divers generations to tea parties, at the neighbouring towns, or to Sag Harbour, to look after the news, or to Montauk, to look after the cattle. One small abode was pointed out to me on a rising ground, as having been, within the memory of some the townspeople, on its first erection, the wonder of its day; for the pannels of the wainscoting were not only painted, but painted sky blue, and the panes of glass in the windows, were actually so vast that the newborn child of the owner was once, to astonish the natives, put through a broken one; the magnificent magnitude of which, considering it was at least half the size of those now in common use, must have been looked upon with no little amazement. In the open way, and leaning against the side of a house, you will ever and anon encounter most creditable evidence of the universal honesty of the inhabitants, in long logs of fire-wood, standing on end to be taken down and cut and split as wanted; and the foot of the pile always strewn about with a semicircle of chips, proving how steadily the healthful exercise of the axe is kept up in the family. But it must not be inferred that there are no modern, and even comparatively splendid, mansions in East-Hampton, for there are some of later date, which render the quiet antiquity of the rest even yet more striking. Nor must I omit to name the public edifices. Of these, a one-story wooden building, possibly at least eighteen feet square, is, perhaps, the oldest; and it has, from time immemorial, been alternately made use of as a school-house and town-hall. The

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presiding divinity of this temple of learning, in ancient times, was a celebrated dame who used to threaten her male and female little ones with the terrors of "sarpints and scorpings" in an awful cellar underneath, if they did not mind their letters and their sewing. There is another more towering edifice called Clinton Hall; this is an academy, and surmounted by a cupola and bell; and has held a high rank among establishments for education. I need scarcely add, there is a meeting-house, too, put up more than a century since, and still retaining the very steeple, bell, and clock, unchanged, which graced it on its first erection, in the good old times of the Province and King George the Second. A few years ago, after numerous town assemblies and perplexing and prolonged debates, it was solemnly concluded that the interior of the old meeting-house should, for the first time, pass under the brush; and when adorned with new colors within, it seemed, like little Rip Van Winkle, with his antediluvian outside and his new perceptions, as if actually exclaiming, "Is this really me?" It is asserted, that upon this occasion an ancient maiden, whose sympathies with the meeting-house were those of a coeval, and who could not bear to look upon her mother-church as a painted Jezabel, cried out in an agony of pious chagrin,—"Aye, aye! jest like East-Hampton folks—all for show!" At each end of the village stands a wind-mill; and near one, a pond, and near both, an unfenced grave-yard; in the larger of which the first minister is buried, being laid in such a position, by his own desire, it is said, as to enable him on his uprising to face his beloved flock! So endeared is this spot by the remembrance of the generations of the good whose remains repose in it, that is scarcely less coveted for a last home by the humble here, than is Westminster Abbey by the great in England. I have heard of but one exception, and that in the case of an eccentric old man of the vicinity, who caused his remains to be deposited in his own orchard, that the rascally boys whom he had found so troublesome about the fruit trees all his lifetime, might be kept at a due distance by the dread of his ghost after he was gone.

The traditions of the place are few, but mysterious. I first sought them in the town records; but vast indeed, was my perplexity on only encountering notices of various inexplicable hieroglyphics granted to Zephaniahs, and Ichabods, and Jeremiahs, through many generations, for the respective "ear mark" of each. Eventually, however, it was relieved. I found out that these mystical "ear marks," were merely registers of the stamps upon the ears of their cattle, under which the townspeople entered them, for a proportion of pasturage at Montauk, to which each freeholder had a right. In my further researches for less matter-of-fact antiquarianisms, I was more fortunate; and from unwritten history I learned that there is a spot, in the road through the pine woods to Sag Har-

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bour, which is called the "whooping boy's hollow," because in the olden time, it was the scene of a child-murder; ever since which, after nightfall, screams are said to be heard there, to the infinite discomfiture of stage drivers and belated urchins. There is a small excavation, also, on the same wayside, said to be the very spot touched by the head of the last Indian Sachem, as his corpse was set down by its bearers to the burial; and in which neither pebble, nor dust, nor raindrop, nor fallen leaf, ever remains, although the most untiring watchfulness has not been able to detect any human hand approaching it. There is a Lebanon cedar tree, also, on the wide sandy heath, midway to Montauk, uprising amid tall and thorny and tangled bushes, and whose close-knit branches can sustain the ominous number of thirteen persons, as on a platform; and which is immortalized by some wild tale of Indian massacre and miraculous escape. But the recollections concerning the succession of clergymen, and especially those touching Dr. Buell, who was famous there during, and immediately after, the revolutionary war,—and whose flowing gown and full bottomed white wig still flourish in his portrait, and are still gazed upon with undiminished reverence,—form the most prolific and acceptable theme of conversation among the aged; whose stories of him prove how richly he was entitled to the gratitude and the respect in which the honest-hearted villager ever holds the good man's memory.

This worthy pastor, and the little old meeting-house, of which he was the unforgotten ornament, and the worship there, as it is maintained even to the present day, can never find such a chronicler as they merit, unless they should meet with some new Oliver Goldsmith, like our own Washington Irving. The verse-poet of sweet Auburn, or the prose-poet of the Sketch Book, could have brought the Sunday of this village vividly before the mind's eye; and none but they. Either could have shown the congregation assembling from far and near; either could have pictured the ancient wagons, filled with families, jolting onward in their high-backed chairs, of the fashion of the days of the Lord Protector Cromwell. The old horses stop, without a hint from the rein, at the very spot—and each pair plant themselves under the very tree—to which they have been for so many years respectively accustomed. The cross-board is drawn out of the back of the wagon, and a chair dropped to the ground, upon which the grandmothers, and mothers, and aunts, are first carefully helped down; and then the younger wives and daughters spring over the seat jauntily, with a light touch on the husband's, or the favoured suitor's, hand or shoulder, and post themselves in readiness to catch the little ones of the latest generation, as they jump into their arms, and are thence lightly launched by them upon the ground. The train move slowly to their places, and the old dogs of the establishment follow and stretch themselves in silent and reve-

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rential slumber during the whole service. Every hearer—from the laborer and the common sailor-boy, who is on his return to pass the interval between two whaling voyages in his humble cottage home, up to the solemn and consequential justice of the peace—appears neatly clad, and all join in the exercises with attention and devoutness. There is one parishioner, a respectable townsman, who could be seen driving a stage-wagon of a morning, and on the evening of the same day showing the hospitalities of the village to some of his stage passengers, at his own comfortable cottage,—and whom I have noticed shining brilliantly on these occasions, in black pantaloons, of what is called "everlasting." I was told that this worthy person, when commissioned by his wife, to make a purchase of the stuff for this garment at New York, being puzzled to remember its appellation, told the shop-keeper,—"well, I think it is *tarnity* cloth, or some name o' the sort;" and upon this description got the material with which he dignified himself on Sundays, and at funerals, and at merry-makings. In the psalmody of the meeting-house, every voice seems to join; and though the singing may sometimes seem like the motions of the down-easter, who said his dancing was "not for pretty, but for tough," nevertheless it is sincere; and sincerity, however unadorned, is always impressive. I have observed the ancient deacon of the congregation,—whose venerable locks, now grown thin and white, have been swept by a hundred winters—during the entire exercises, stand in the pulpit, just below the preacher, with the best of his twin listening organs so upturned as to enable his dulled hearing not to lose a single syllable of the long prayer, nor of the longer sermon; and have also been amused with the struggle upon the lip, and in the eye, of some roguish little damsel, as the long windmill arms of the excited divine, with an unconscious sweep, would force the deacon, of a sudden, to duck down his aged head, in order to evade the risk of an unintentional box on the ear. The very dogs of the village know the precise length of the service, by instinct, and at the regular moment for the benediction, rise up and depart, never committing the irreverence of shaking themselves, until they get outside of the great door.

Though on the way to and from the meeting-house, on Sundays, the wide street of East-Hampton looks thronged and sparkling with cheerful faces and bright dresses, the habits of the people are too industrious to break its silence and solitude much during the week. Excepting on Sundays, you will scarcely meet any groups of promenaders throughout the day-time, unless it be large flocks of geese. The same multitudes of the tribe of saviours of the Roman Capitol, which are remembered as strutting over the grass a century ago, are still conspicuous there; and a visitor, after an absence of at least thirty years, fancied he could recognize among the numbers that were engrossing the area, as if theirs by prescription, some of

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the acquaintances from whose disdainful beaks he had often sheered away in great terror and tribulation, when a child.

That quaint good feeling,—that exemplary ambition to do their best, in their own quiet and domestic way,—which marks the manners of the East-Hamptoners at the meeting-house, also appears in their mode of showing hospitality to each other and to strangers; to the most welcome of whom their highest compliment is, that they are as happy to see him as if he were General George Washington. At the little parties made by ladies, there is a minute observance of their own notions of fashion, both in dress and etiquette; and perhaps there is no place in the world where the tea-table epicure could be gratified with equal variety in the forms of tea-table luxury. Every cake and tartlet and tart and pye is made at home,—and for the most part by the fair hands of the lady hostess herself; whose ambition to outrival her neighbours in cookery, is only comparable with her anxiety to make her attentions acceptable to her guests. It is delightful to mark the triumphant gladness which glistens in the good lady's eyes, as she sees her dainties devoured; and it is curious to observe how character, and even the effects of local, and sometimes political, partisanship, may be read in the silent, but eloquent eagerness with which some of the kind-hearted neighbours will show their friendship, by eating away most unconquerably, though they are full; and others, their jealousy and ill will, by most invidiously and slanderously only nibbling, though they are empty. The various dishes, and the various degrees of skill shown in preparing them, are of course a subject of animated gossip the next day, especially if there be a quilting party any where; and established in her domestic glory, indeed, is the newly-settled-down young wife, after her first tea party, if she escape unscathed the ordeal of the prophecying petticoat critics upon it. She may then hope for the standard epitaph, whenever she shall take her place in the grave-yard by the pond, that she was "a virtuous woman, and a crown to her husband."

There is another form in which honest pride displays itself among the female villagers,—that of excelling each other in the manufacture of their own bed-quilts, and curtains, and fringes, and carpets, and rugs. At a house furnished by the handiwork of beautiful young girls—a homestead where, from the very sheep upward, every material was home-made—I could not resist the desire to seek a sight of the fair artists and their famed productions; and, although half afraid of a repulse upon such an errand, I found the grace and the good nature of my reception quite on a par with the surpassing beauty of the work I was asked to look at. There was a manifest pride in this evidence of a reputation for industry;—and how much more in character with the republican spirit of our institutions is such a pride, than that of an heiress in her diamonds

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and equipage and millions! And with all the devotedness of these village females to domestic duties, and the love of order and of neatness, no lack appears among them of mental acquirement. A young girl, capable of adorning the best society, has been seen there scrubbing her floor with one hand and pushing forward one of Miss Edgeworth's volumes, which she was reading, to keep it in the dry spot, with the other: and I have perused, from the pen of another native female, yet resident there, scraps of sentimental, and of satirical, and of patriotic poetry, which sweet L. E. L., in her happiest inspirations, might have been proud of producing.

The entertainments of the men at East-Hampton are, of course, of a severer character. The greatest among them is that of drawing the seine on the Atlantic. A horn is sounded at day-break, whenever the sea gives promise of abundance, and all the men, of all orders and conditions, hurry to the beach in their boat toggery; from head to foot all "suffer a sea-change," so thorough that the well-dressed yeoman of the preceding night is not to be recognized. The boats put off, and ere long all hands are pulling at the net-ropes, waist-deep in the water, and the sands are swarming with heaps of fish of every description, the greater part of which are used for the purpose of being left to decay upon the fields for manure. The hideous and poisonous sting-ray is usually among the captives; and I have seen from fifteen to twenty sharks strewn upon the shore from a single haul. Even the whale will occasionally appear in the distance, completing the majesty of the ocean prospect. These scenes are ever sources of no ordinary excitement on this part of the coast; and such is the inspiration of the sound of the horn-call to the sea, that all the male creation of the village rush forth on the instant. A Connecticut notion-monger who announced the arrival of his peddling cart there one morning by the sound of his own horn, was astonished to find every house suddenly depopulated of all the holders of the purse strings. The signal had been mistaken for a call to the seine-drawing. It may be, that a taste for the adventures of the ocean is awakened in the younger villagers by these sights of grandeur and the stir of these minor dangers; for their first thoughts are generally turned to a ship-board life, and they early wander far, most frequently upon whaling voyages. "There lives a man," said a young East-Hamptoner to me, as we rode by a cottage a few miles from the village, "who has made a competency by whaling, and retired from *public life!*" I have listened upon the sands, as the surf was dashing and sparkling at our feet, to harrowing narratives of bright hopes broken by this irrepressible thirst to tempt fortune on the deep. I have heard a warm-hearted and intelligent sister disclose, in faltering accents, the sad story of her young brother, who would not be dissuaded from the peril, even by a lovely relation, who, when yet a mere child, remonstrated with

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him in a letter, of which the ready memory of the sister retained the following sweet burst of artless eloquence: "Recollect, a mariner's life is one of hardship, toil, and danger. Think of the many anxious hearts you will leave among your friends. Even I, in some cold, stormy, night, when the wind whistles so mournfully about the house, and seems to bid defiance to the other elements,—even I shall then think of my poor little cousin, exposed to all the inclemencies of the weather, rocked by Boreas in his hammock, and, perhaps, thinking or dreaming of his dear native village and the cheerful fireside he has left, to learn his lesson of life and mayhap to find his grave in its bosom, with nought but the billow to sing his death song." And the apprehension was prophetic. The poor lad, when his ship was sweeping before a gale, through the Indian ocean, ran aloft to furl a sail, as the mast broke, and he was heard to exclaim, "God save me!" when the ship, uncontrollably, dashed onward, and he was seen no more! Volumes might be filled with the romances of real life, which sometimes beguile the evenings on this wild ocean border; and often have I desired the graphic power to detain on paper a scene of the sort, in which I was once a sharer. The gentle monitor of her lost cousin sat with his sisters and some others on the beach. Anecdotes of the sea had made the time glide away unperceived, and the conversation was wound up by an unaffected song from the innocent girl, in which devotion so beautifully mingled with touchingly appropriate allusion, that no taste, no science, no execution of the finest melodists in the world, could have rivalled the pathetic influence of the untaught music. To imagine its spell, it must be associated with the impressive recollections; with the soft breeze rippling over the calm ocean; with the waves mildly breaking, then falling back in diamond sparkles, as they met the moonbeam; and with the vast wilderness of outstretched waters beyond, gradually more and more confused by distance, till at length undistinguishably blended with the black mist over the horizon, which seemed the only veil between the beholder and eternity.

It may be readily inferred that, in such a village as I have described, the aged must naturally feel extremely sensitive about any omen of innovation. The old families are devoutly attached to their old homes, and though I have known but fifteen dollars a year to be asked for the only house to be hired at one time in the place, the same cost and trouble which would secure a lot in East-Hampton, might obtain one of ten times the marketable value elsewhere,—so much beyond lucre do the inhabitants prize their modest independence. With such feelings, we cannot wonder at the distaste for all intruders. Hence it happened that when a steamboat from New York to Sag Harbor made the seclusion readily accessible to city rovers in quest of sea air and rurality, the irruption of the bar-

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barians of aristocracy and fashion gave the old settlers evident concern; and when an accident abruptly stopped the new-fangled facility of approach, it was a source of exultation among some, that East-Hampton need no longer tremble for her purity, because the madness was over; the good old ways were returning; the old stage coach had gone out, as formerly, with a passenger and a portmanteau; and there were no more arrivals of the unknown from vicious large cities, to stir up extravagant ideas in the well disposed, and unsettle the husbandman from his dependence on his plough, by dreams of speculation. It is true, there might have been grounds for uneasiness. Some alarming cases of genius had actually broken out among them. Many a head is even to this day shaken at the sad delusion under which an old inhabitant, who invented a combined flour mill and threshing machine—and another, who fashioned an orrery, imitating by mechanism the movements of our planetary system, in their exact proportions—have both not only wasted time, but actually expended money! For such prejudices, however, the generation in which they prevail are scarcely to be held accountable; these good people have communicated but little with the wider world,—so little, that an aged one among them, after having been inveigled in a mischievous young friend's wagon, for the first time, to the neighbouring town of Southhold, is said to have exclaimed in amazement, "who could have thought that Amerikey had been so big!" This wonderer may have been of the same tribe with the maiden of three-score-and-ten, who, after a hurricane which succeeded a grand scholars' exhibition of dialogues in the Clinton Hall Academy, cried out, with sanctimonious consternation,—"This is that plaguy 'cademy work, I know! A judgment is fell upon the town!" But I apprehend that it would be impracticable, for even much more potent jealousies permanently to shut out the dreaded changes. The sweet solitude of East-Hampton is inevitably destined to interruption from the city; and many an eye, wearied with the glare of foreign and domestic grandeur, will, ere long, lull itself to repose in the quiet beauty of this village. It will revel in its daybreak ocean sports. It will delight in its summer sunset, which, as the gazer from the rising ground at the western extremity, looks down the long and ample street, flings giant shadows upon the grass, and gilds the tree-tops and the nearer windmill, and the chimneys, and the academy cupola, and the little meeting-house spire opposite, and the distant tavern-sign, swinging between two posts in the centre of the road, and the far off windmill;—while the geese strut with slow and measured stateliness to their repose, and the cottagers upon the benches, projecting from before each side of many of the cottage doors, talk news or scandal, or pertinaciously bicker away about politics and religion, though they are said

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never to have voted but on one side, and never to have listened to a sermon out of their own sect.

Such, then, was East-Hampton, when the hapless "neglected poet" of this narrative became naturalized, by one of the accidents of his random kind of life, as a member of this quiet, simple and primitive little community. Such at least it was a few years ago; and, with the exception of the slight changes I have specifically recorded above, I may safely guarantee that such it was at the date referred to. Another number will be necessary to complete the narrative, of which it is the object to rescue from entire oblivion a name well entitled to the tribute, by the double right of genius and misfortune.

BRUCE'S TEARS.

["The kind, yet fiery character of Edward Bruce is well painted by Barbour, in the account of his behaviour after the battle of Bannockburn. Sir Walter Ross, one of the very few Scottish nobles who fell in that battle, was so dearly loved by Edward that he wished the victory had been lost, so that Ross had lived."—*Lord of the Isles. Note to Stanza* XI. *Canto* IV.

Red light was in the western sky,
One star was twinkling lone and high,
The evening breeze came murmuring by,
But not 'mid bending grass to sigh.
The wild-flowers it would woo were crushed;
At noon the storm had o'er them rushed—
Fierce hoof! fleet foot! When eve came on,
The dews and breezes found them gone.

The wild-flowers,—were *they* all that lay
Crushed out of beauty, 'neath the ray
Of that lone star? Alas! there came
That day the dazzling light of fame,
Upon the green and peaceful plain,
Bought with red blood, and strife, and pain;
And fearfully abroad were spread
Dark signs of life—where life had fled.

Aye! the soft breeze but poured its breath
O'er the dim starlit field of death,
And cooled the burning lip and brow,
In shame and agony laid low,

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Or called back wand'ring sense and life,
To the glazed eye last closed on strife,
Or o'er each youthful hero slain
Mourned with its low and dirge-like strain.

Lights from the victors' tents flash'd out,
And from the long white camp a shout
Aye and anon arose, and shook
Faint wounded frames in every nook
Where they had crept away to die.
But in one stately tent, oh, why
Blazed there no torch, arose no voice,
As if to bid the stars rejoice?

The groan—the deep, half-stifled groan—
Of manly sorrow, struggling, lone,
Came from that tent,—there sat the Bruce!
The fiery Edward! Tigers loose
Not half so fierce, in war! the hind
Petted by beauty not so kind,
When to its scabbard went the blade,
And from his brow the helm was laid.

There sat the Bruce! dark, dark, alone!
O'er his rude table wildly thrown
His warrior arms, and sadly bowed
His face, and quenched its lightning proud.
Fast rolled the hidden tears, and grief—
Man's grief, that never courts relief,
Till spent in whirlwind agony—
Mixed with his triumph misery!

He mourned the dead—the one brave youth
His spirit loved with such deep truth
As dwells in young, free, noble hearts,
Bound each to each, till life departs.
He mourned the slain! and in that hour,
Proud thoughts of vict'ry had no power;
The light from glory's brow had fled,
She could not bring him back his dead!

"My Walter!"—rose the low, deep tones,
Blended with stifled sobs and groans—
"They say a glorious battle's won,
"And few are slain,—oh, thou art one!

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"By whose most precious blood was bought
"The victory! Would God had brought
"Deep ruin on my arms this day,
"So *thou* hadst not been snatched away!"

Oh man! blind man! that morning's sun
Found all his hopes bound up in one,
A battle gain'd! Defeat and shame,
The only ills whose dread could claim
Averting prayers from that proud heart!—
Now what could granted prayers impart?
Fame came—too dearly bought to bless!
And victory came—but valueless!

HISTORICAL SKETCHES OF THE OLD PAINTERS.

No. II.

THE "LAST SUPPER" OF LEONARDO DE VINCI.

Reclined on his couch lay the excellent old Andrea Verochia.* The dews of death moistened his furrowed and pale forehead; yet his eyes sparkled still with a deep enthusiasm, as he contemplated a picture he had completed for the *religieux de Valombreuse.* It was the baptism of our Saviour;—but it was not the work of his own pencil that he was contemplating; it was the figure of an angel, which his youthful pupil, Leonardo de Vinci, had introduced. He had given it a celestial expression, an ethereal smile, that the master felt was far beyond his own conception.

At that moment his pupil entered. "My son," said he, "I have closed my easel and laid aside my pencil forever! But not with me expires my art,—to thee I bequeath these implements,—thou shalt go forward, and thy fame extend over Italy,—in thy hands they may reach an excellence unknown before;—but remember, that in mine they have never been degraded to an unworthy use! Guard them, my son; but, above all, guard thyself!"

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* Verochia was a goldsmith, or graver, a musician, a geometrician, and a sculptor, before he became a painter. It would seem from many instances that the arts were more intimately connected in former times than at present; and yet how many must unite to form the perfect artist. His success in casting was very great. His death (in 1488) is said to have been occasioned by a pleurisy, brought on by the fatigue and anxiety he experienced in casting a brass statute of Bartolomeo de Bergamo.

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Leonardo kissed the emaciated hand which pressed his own. "My more than father," he exclaimed, "thou knowest my imperfections, that I am proud and head strong,—passionate and easily offended,—revengeful, and prone to a disposition to ridicule and caricature. Thou knowest my many faults, yet thy voice, nay thy very glance, can subdue my over bearing temper,—but without thee what am I!"

"My son," said the old man, smiling faintly, "thou must do that for thyself which I cannot do for thee. Thou hast the seeds of great good and great evil. To mature the one, and repress the other, must be the devoted object of thy own perpetual self-vigilance. I leave thee my precepts, as they have full often been repeated, and my example, such as it has been; and were I living I could give thee no more. I know, indeed, thy nature—it is capable of the most glorious efforts,—but beware of the first impulses of every emotion unworthy of it. Why, tell me, wert thou cold and indifferent, yesterday, when I applauded Perugino's work? Beware of envy!"

The color of Leonardo rose high, and his eyes sparkled with an unwonted fire. "To that charge, not guilty," he quickly exclaimed. "I looked coldly on the work because I felt that he had not done his noble subject justice. Envy, at least, has no share in my composition."

"I believe thee," said Andrea; "remember that Perugino has his own merit—thou thine. Seek not to obscure that of each other. Always bear in mind, that it is for the perfection of thy divine art thou art laboring, not for thy own glory. There are many paths to eminence. Observe how multiplied and various are the forms of nature—how endless the realms of imagination. Cultivate a patient and humble temper; be open to reproof, and learn to subdue thy irritable nature. If thou art suffering under the scourge of oppression, or the bitterness of undeserved calumny, profane not thy exalted art by low and satirical revenge—which can have no part in a truly great mind. I repeat to thee, use it for no ignoble purposes. Let a pure soul animate thy works. Tread with generous steps the path of fame. Make room for thy compeers, if they overtake thee, and honor the excellence to which perhaps, thou mayst not attain."

"I have been gazing on thy work," continued he, "and I confess to thee, Leonardo, that were my life to be prolonged, I would not retouch that picture. I feel that thy gift is beyond mine. I rejoice that it is so. I have cast but a faint light around me, thou wilt illuminate distant regions;—yet, remember, thy brightness will not be like the splendor of noon-day, but like the rising beam of the morning—or the mild lustre of the evening. Thy powers are various; thou art not born to fill the ideal alone. I perceive in thee the germs of invention and usefulness—cultivate them, my son—

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narrow not thy path of life—live for thy fellow-men, for thy age,—and long after the name of Perugino is forgotten, may that of Leonardo de Vinci be preserved by its own brightness. Virtue creates immortality; genius may emblazon the name of an artist in this lower world; but his virtues are to find their reward in Heaven. Be it yours to live in the blessings of posterity—but look only to another existence for their recompense. My strength is fast failing; I must depart to that land where the good and the true shall meet again. Thou couldst not desire to detain me here. Farewell! I leave behind me, in thee, a glorious continuation of myself. My mission is finished."

In a few minutes after these his last words, Leonardo's tears fell fast and bitter on the lifeless form of his good old master, as he gently closed his eyes, and signed the holy cross on his venerable forehead. "Yes," he exclaimed, as he knelt reverently by his side, "thy prayers shall be fulfilled. I will subdue the evil elements of my nature, and not for myself, but for mankind, will I labor in the divine art which I learned from thee, and of which thy last lesson has now taught me the true spirit;—and my reward shall be with thee in Heaven."

The Chateau de Vinci, situated in the beautiful Val d'Arno, was the birth place of Leonardo. He was one of the most accomplished men of his time. His face was fine and intellectual, his figure commanding, his bearing graceful, his air noble and courteous. He was also distinguished for his youthful strength and skill in all manly exercises, and for his acquaintance with military science. His voice was clear and musical, his conversation amusing and instructive, while he united a peculiar gentle simplicity of manners, with politeness and natural dignity. When to this was added his glorious and almost universal genius, it is not strange that he was generally regarded as one of the most remarkable men of his day. He excelled in music, poetry, and belles-lettres. He was not less successful in architecture and in sculpture, (of which he began the study with his old master, Andrea,) than in painting; while he cultivated all the science of the age, chemistry, anatomy, and mathematics, to make them all subservient to his art.

One peculiarity deserves to be noted, that all his manuscripts which have been preserved are written in the oriental manner, from right to left, the reverse of the common usage. It has been conjectured from observation of his drawings and designs, that he used his left hand instead of his right, as they are all reversed from what is generally found in the works of other artists, whether ancient or modern.

From the time of the death of his master, he made rapid advances in excellence. He cherished his memory with the most reverent affection; he reflected on his lessons, and studied to model him-

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self by his precepts. He examined his own performances with the most jealous and fastidious eye, finding always more to condemn than approve, by the unapproachable standard of his own ideal. He even carried this self-dissatisfaction too far. The higher the perfection he attained in his art, the less was he himself satisfied with his own productions. He thus destroyed a great number of his own performances, especially of his earlier days.

The Duke of Milan, Ludovico Sforza, was anxious to secure so brilliant an ornament to his Court, and was eager in offering inducements to attract Leonardo to a residence in his dominions; and he accordingly was prevailed upon to leave his native abode near Florence, for that purpose. It is said that the jealousy and suspicion of Michael Angelo, who was just then beginning to rise into distinction, made him the more willing to quit a place where he was hated as a rival. Though both of the artists were of surpassing excellence, their perfections lay in different lines. Leonardo was full of sensibility and imagination; his region was mind; he delighted to express all the pure and exalted emotions of the soul. He was select in his choice of subjects, and unless they were such as to interest his heart, his hand became utterly paralyzed, and he abandoned his attempt. He was sensitive and delicate; but his passions, when excited, were hasty and violent. If Raphael afterwards surpassed him, *he* had the glory of being first in the new path which he struck out.

Michael Angelo, on the other hand, studied strength and sublimity, and affected to look down on the less bold conceptions of Leonardo; while he met his generous advances with coldness, and appeared to avoid any association.

It may readily be imagined that the Duke of Milan welcomed De Vinci, and loaded him with honors. He prevailed on him to be director of the Academy of Architecture which he had just established. Here, Leonardo soon restored the beautiful simplicity of the Greek and Roman styles. He constructed the famous aqueduct that supplies the city of Milan with water, which goes by the name of Mortesana, and by which the waters of Adda are conducted two hundred miles to the city.

The following anecdote has an interest, as illustrating the wonderful versatility of talent of Leonardo. The painter, the sculptor, the architect, the poet, the man of science and polite literature, the accomplished gentleman and soldier, and equally distinguished in all, it exhibits him also as remarkably ingenious in the principles and art of mechanics. In 1479, when Louis XII. of France was to make his entrance into Milan, he constructed an automaton lion, which marched out to meet the King, reared upon its hind legs, and, opening its breast, displayed an escutcheon with the arms of France quartered upon it. In the military sports and feats which were performed,

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Leonardo was unrivalled; and, as a horseman, he excited universal admiration, by the boldness and skill with which he could manage the wildest and most ungovernable steed. Louis greatly coveted the honor of possessing so distinguished an aquisition to his Court, and is said to have made him splendid offers; but Leonardo declined them all. Certainly, however, he felt no great friendship for, or sympathy with, the Duke—who possessed a countenance expressing all the low passions of his character, and which could excite in the high-minded artist only aversion and disgust.

There was one, also, who was constantly with the Duke, that regarded the Florentine with an evil eye; this was the Prior of the Dominican convent. Though his words dropped honey, the honey was mingled with gall. His dark malicious eyes looked slily out from over hanging eye-brows,—his forehead was knit into a thousand wrinkles, and his scornful mouth covered with a bristly red beard,—his nose hooked over this frightful mouth, like the beak of some obscene bird,—in short, his whole appearance inspired equal distrust and detestation.

Nothing could exceed the displeasure with which this monk regarded Leonardo,—whose abhorrence for so fiend-like a countenance, and contempt for the character of which it was the mirror, were probably scarcely concealed. Every honor which the Duke conferred upon the artist, he considered an insult to himself, and he determined to hesitate at no means which might accomplish his ruin.

Leonardo soon found himself, at the court of the Duke of Milan, in a situation wholly uncongenial to his tastes, and the darkest gloom took possession of his mind, and which he in vain endeavoured to banish. He sometimes succeeded in the open air, when he was engaged in his mechanical or architectural works, for then the bright and glowing colours of nature spread their own hues over his feelings. The fresh air invigorated his mind,—the showers of the morning—the dews of the evening—the exhalations of the night—the starry vault of the Heavens, all gave impulse to his spirit, and carried him over hills and through valleys. But when he sat silent before his easel, then did his brow become clouded, and his hand unsteady. At this time many of the pictures of Leonardo are lost,—he often destroyed them himself in a fit of disgust, when they only wanted a few masterly strokes to complete them.

The Duke possessed an ardent love of the fine arts; his great misfortune was that of having fallen so entirely under the influence of the artful Dominican, who swayed him to his own purposes, which were all low and selfish. Often did he stand enraptured over the works of the artist. "This," he would exclaim, "will be the gem of my collection. Gifted Florentine! proceed with thy work, and ask what thou wilt—all price is below it!"

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The Dominican was enraged by all the new honors heaped upon Leonardo, and he determined to destroy him. He had minutely observed him—studied his character, and the peculiar, delicate constitution of his mind—hatred is patient and indefatigable in its labors—he knew that Leonardo's pencil became powerless, unless his taste, mind, and heart went along with it, and on this knowledge he formed his plan.

"My Lord," said he to the Duke, "I feel most bitterly for your many disappointments—no sooner have you set your heart on a picture than the capricious and daring Florentine draws his brush over it. Let me advise you to sit for your own portrait—this at least he will not presume to dishonor—and you may have one perfect gem from his hand for your collection."

The Duke seized instantly upon the idea.

"You shall paint my portrait," said he to Leonardo—"then one of your pictures at least will be saved from destruction. Your respect for me, as well as your affection, will not permit you to draw the brush over the lineaments of your friend and patron."

The artist trembled at the order. How, indeed, could Leonardo, who delighted to paint nature in its fairest forms, endure such a subject, such a combination of physical ugliness, utterly unredeemed by moral beauty or sublimity! The red shock hair, the grey twinkling eyes, the pale, ashy, cheek, and ill-shaped head—it was impossible, and yet the Duke commanded it! Refuse he could not—yet if he obeyed, could he prostitute his glorious art to flatter the tyrant, and disguise his hideousness by a deceitful falsehood! While, if he painted him true to nature, what a specimen of his art would go down to posterity, to be pointed to through after ages, as a proof that Leonardo de Vinci sold his pencil for gold!

It was in vain that he called upon the spirit of his master, Andrea. "Well then," exclaimed Leonardo, "I must drink the bitter cup, and must paint him as he is. It is true he will read in his portrait his own hateful character, but I will not degrade my pencil by flattery—I will not deserve the scorn of after ages."

With a trembling hand he seized the pencil, while the Duke sat before him with proud importance, and arrayed in princely ermine. Behind him the Dominican had placed himself, and looked at the artist with exulting malice, reading in his troubled eye and trembling hand the full influence of the malignant spell which his wiles had cast upon him. In vain Leonardo essayed to draw an outline—he saw nothing but the horrible face of the monk. At length he exclaimed, throwing down his pencil, "I can do nothing unless your highness remain with me alone." The Duke ordered the Dominican to depart, and a new motive to revenge arose in the monk's heart.

Leonardo proceeded with his work, day after day, but the nearer

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the painting approached its completion, the more dissatisfied became the artist. At length, however, the last stroke was given, and it stood finished against the wall in all its revolting ugliness.

"How," cried Leonardo, losing all self-command, "shall a picture like this go down to posterity! Shall I tarnish my fame and soil my future greatness by such a specimen? rather perish my art—rather perish myself!" exclaimed he, striking his foot with violence against the pannel. It flew into fragments!

"So, so, master," smoothly said the Dominican, entering the room, by the command of the Duke, to see the picture conveyed to him. He had come with the intention of working him up to this catastrophe, but it was unnecessary—the ungovernable passions of the artist had anticipated him. "So, master Leonardo, I perceive thou art possessed of an evil spirit. I will not interrupt thee."—And he hastily retired.

Leonardo awoke from the delirium of passion to the consciousness of the deed. A feeling of self-reproach came over him, which was even more poignant than his fears of the vengeance of the Prince. It was his protector, his benefactor, that he had thus insulted. "What have I done!" he exclaimed, as he gazed upon the fragments, and gathered them from the floor. "Those eyes have looked upon me with kindness—those colorless lips have spoken words of friendship. O, my Prince, whatever thou wert to others, to me thou wert a friend and benefactor!" and his tears fell fast upon the fragments of the picture.

The door opened, and a messenger came to say that the Duke required his presence.

Leonardo trembled—"I may not call on thee, Andrea," said he, "I have sinned against thy precepts."

With faltering steps he approached the Duke, whose countenance was dark and lowering. Beside him stood the hated monk, with folded hands and affected humility.

"What have you done with my portrait?" exclaimed the Duke, with suppressed passion.

"Destroyed it!" replied Leonardo, with a trembling voice.

"And why?" said the Duke, still commanding himself.

"It was the feeling of his own worthlessness, sire," exclaimed the monk, "the consciousness that he could not do you justice."

"It is false!" said Leonardo.

"False!" exclaimed the Duke approaching him, his face pale with rage, "speak, what was thy motive?"

"Madness," answered Leonardo, firmly, "madness, and want of self-command."

The Duke stood silent for a moment—"Whatever was the cause," said he, "perhaps you have done well, and I forgive you, if you accept my conditions"

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"Name them, my Prince," said Leonardo, "command me through fire and water, and you shall be obeyed. Make me undergo any torments, I will not complain. I will devote my best art, day and night, to redeem my crime, and to render myself worthy of your goodness."

"Be it so, then," said the Duke. "You shall no longer have your attention distracted by the things of this world;—your art shall be consecrated to holy purposes. The refectory of the Dominican cloister needs decoration, and your talent shall be devoted to this work. I will give you one year to accomplish it."

The prior was astonished at the calmness of the Duke; he had expected to see the storm burst and overwhelm the artist; he had not sufficiently estimated the consequence which the power of genius bestows. The Florentine was already the ornament of the age, and commanded the respect of nations. The monk cast a malicious glance at him. Leonardo felt its force; it was hard for him to be shut up with such a man a whole year, and to be subject to the petty vexations he might inflict, and to which he knew his malice was fully equal. But he determined to bear with fortitude the evils he had drawn upon himself, and to labor to redeem the confidence of his patron. But what subject should he select for the work?—it was a new perplexity; and months passed in a disordered and unhinged state of mind, which rendered it impossible for him either to conceive or execute any attempt of his art.

One day when the Passion Week had just begun, Leonardo was walking in the beautiful gardens near Milan. His mind was pondering on the subject of his painting. The spring had already awoke the young blossoms from their winter's sleep, and the trees and hedges were crowned with the fresh foliage of the season. "I will paint the season sacred to our Lord!" he exclaimed—"his last supper with his disciples—would that my pencil were equal to the subject!"

The sun was just setting as he returned home, his mind filled with the vastness of the project. Unconsciously he arrived at the cloister of the Dominicans; the pealing tones of the organ struck upon his ear, while the lofty roof of the church resounded with the chant of the monks. The solemn sound had stilled the tumult of his breast, and his heart was filled with gentle and deeply religious emotions.

"O thou," he cried, "who died for the sins of the human nature which is so sinful and passionate in me,—how shall my feeble hand portray thy glory! How shall I paint that last sorrowful night when the Apostles gathered around thee!"

As he dwelt on the subject, it gradually expanded to his mind; he beheld the long table and the Saviour in the midst of his disciples—the last rays of evening shining on his head—a mild radiance beam-

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ing from his eyes, when he exclaimed, "Verily, I say unto you, there is one of you that shall betray me!"

And with what beauty did the group spring to light under the pencil inspired by such emotion! How fresh and yet how soft the coloring! But it was indeed an arduous task. Spring had come round, and two of the heads yet remained unfinished. One was the Saviour's, the other that of Judas,—the one because his soul trembled to approach it, with reverential awe,—the other because the beautiful purity of his own spirit shrank in horror from the task of creating the fitting conception of that vissage.

In vain Leonardo sat before his easel, with his pencil in his hand, and prayed for divine inspiration to paint the Saviour of the world. His touch was cold and formal;—where was the heavenly benevolence that irradiated his face—the pitying forgiveness towards the Apostle that he knew would deny him—the glance of divine sorrow, unmixed with anger, which he cast upon his betrayer! And the contrast of the traitor, how was he ever to portray it worthily!

The last week arrived, and the heads were yet unfinished.

"Dost thou know the conditions," exclaimed the exulting monk—"success or death; so said the Duke, and his word is never recalled."

"I know them well," replied Leonardo, in a despairing tone.

"Then hasten on thy work," said the Dominican—"is life so worthless that thou canst not afford a daub of thy brush to save it? As well might the mighty discovery of painting have slumbered, if it will not do thee this slight service. Come, lend me thy brush—to-morrow is the day—I will furnish thee with a head, and perhaps it may save thine own," fastening upon him a searching glance, with a flashing expression of conscious power and triumph.

"Ha," exclaimed Leonardo, "I thank thee, good sir prior, for this last offer—thou hast indeed inspired me."

He hastened to the refectory, closed and secured the door, and through the rest of that day, and the whole solitude of that last night, sat almost without intermission at the glorious task which has immortalized him. The head of Judas was completed before the shades of night came on—but that of the Saviour still remained. There was the beautiful oval—the locks parted on the forehead—but all else of the face was a blank. He felt the task beyond his power, yet his generous spirit would not profane his own ideal, nor degrade his art, by an unworthy performance.

The last rays of the sun were setting—he turned towards the west—"Andrea," he cried, "now in this hour of my last extremity of despair—let my voice reach thee among the shade of the palm trees of paradise!"

As by a sudden inspiration, confidence took possession of his mind—celestial images floated before his imagination—the pealing

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roof seemed to ring with hosannas—and in the vacant space the imagination of the painter beheld the countenance, the divine countenance, which he had been in vain attempting to portray.

Once more he seizes his brush—he has only to follow the traits impressed forever by that single vision-gleam on his memory. How noble, how sublime, how much they partake of divinity, is decided not only down to the present age, but will be by ages yet unborn.

The next morning Leonardo did not make his appearance, nor was any reply returned to the application of the prior at the door; it was the day on which the picture was to be exhibited, and his remorseless enemy exulted in the belief, that in his despair he had sought the fate of the Judas he had found himself incompetent to depict.

At length the hour arrived, and the Duke Sforza, accompanied by the principal nobility of Milan, proceeded in state to the Dominican monastery, and gave orders that the refectory should be thrown open. The picture, which was in fresco, upon the wall at one end, was concealed by a curtain—and the artist stood on one side with his eyes cast down, and an expression of deep dejection. There was a confused murmur of voices—curiosity and eager expectation were expressed in every countenance, but that of the Prior's; on his sat triumphant revenge; the picture, he was confident, was unfinished in the most important figures, as he had himself seen it so on the preceding day.

"Let the curtain be withdrawn," said the Duke.

Leonardo moved not—the deep emotion of the artist rendered him powerless.

The Dominican, unable to comprehend such feelings, was confirmed in the belief that the withdrawing of the curtain would be the death-warrant of Leonardo;—he hastily seized the string, and by a sudden pull the curtain opened, and the Last Supper of Leonardo de Vinci stood revealed to the world.

Not a sound for a few moments broke the stillness that prevailed; at length murmurs of applause were heard, increasing, as the influence of the glorious work fell fuller upon the enthusiastic minds of the Italians, to raptures. The Duke arose and stood before Leonardo—"Well, noble Florentine, hast thou atoned for thy fault—I am proud to forgive thee all. On—on, to glory, to immortality—high rewards shall be thine. But why, holy father," said he to the Prior, who still stood, motionless and pale, before the picture—"why stand you speechless there—see you not how nobly he has redeemed his pledge?"

All eyes were turned upon the Dominican—then to the figure of Judas. Suddenly they exclaimed, with one voice, "it is he! it is he!"

The brothers and monks of the cloister, who detested the prior,

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repeated—"yes, it is he—the Judas Iscariot who betrayed his master!"

After the first surprise was over, suppressed laughter was heard. Pale with rage, the Dominican retreated behind the crowd and made his escape to his cell—with the emotions of a demon quelled before the radiant power of an angel's divinity, and the reflection that henceforth he must go down to posterity as a second Judas! The resemblance was perfect.

And where now was Leonardo de Vinci—he who stood conspicuous among the nobles of the land—he whose might of genius had cast high birth and worldly honors into obscurity. Now surely was the hour of his triumph!

Alas, no! he stood humbled and depressed; bitter tears bedewed his cheeks, and when the cry was repeated again and again, "it is the Prior!" he hastily quitted the presence of the Duke, and in the solitude of his own apartment, on his knees, in an agony of repentance, "O Andrea, my master!" he exclaimed, "how have I sinned against thy memory, our art, and my own soul! I have sinned, I have sinned! It was a sacrilege—in the same hour in which thou didst answer my prayer with the blessed inspiration of the vision of the Redeemer! I am unworthy of thy love, of thy divine art, and of my own respect. 'Revenge can have no part in a great mind,' was thy last precept—how much better didst thou know me than I knew myself. Strengthen and guide henceforth my weak and sinful nature."

Such were the emotions of the artist, while all Milan and Italy rang with the fame of the work which he himself so bitterly repented. All flocked to see it, and his renown was at its highest zenith. He shunned the applause which it attracted, and in a humble spirit devoted himself to the pursuit of a nobler triumph than he had already achieved—the triumph *over himself.*

This is the history of that celebrated painting, the Last Supper of Leonardo de Vinci, which is familiar to all, from the innumerable copies transmitted to posterity, and distributed through every civilized country, by the pencil and the burin. It is still in the refectory of the Dominican convent, at Milan, though, having sustained much injury from ill-usage, especially when the convent was occupied by French troops, at the close of the last century, it gives the traveller now but an indistinct idea of its original glory.

Leonardo de Vinci, in 1520, visited France in consequence of the pressing solicitation of the noble and chivalric Francis I. His health was feeble, and the King often came to see him at Fontainbleau.

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One day when he entered, Leonardo rose up in his bed to receive him, but, in the effort, fainted from excess of weakness. Francis hastened to support him, but the eyes of the artist had closed forever; and Leonardo lay encircled in the arms of the monarch. Such was the death of the subject of the foregoing sketch.

NATURE*—A PROSE POEM.

Minds of the highest order of genius draw their thoughts most immediately from the Supreme Mind, which is the fountain of all finite natures. And hence they clothe the truths they see and feel, in those forms of nature which are generally intelligible to all ages of the world. With this poetic instinct, they have a natural tendency to withdraw from the *conventions* of their own day; and strive to forget, as much as possible, the arbitrary associations created by temporary institutions and local peculiarities. Since the higher laws of suggestion operate in proportion as the lower laws are made subordinate, suggestions of thought by mere proximity of time and place must be subtracted from the habits of the mind that would cultivate the principle of analogy; and this principle of suggestion, in its turn, must be made to give place to the higher law of cause and effect; and at times even this must be set aside, and Reason, from the top of the being, look into the higher nature of original truth, by Intuition,—no unreal function of our nature:

> Nor less I deem that there are powers,
> Which, of themselves, our minds impress;
> That we can feed these minds of ours,
> In a wise passiveness.

But if it is precisely because the most creative minds take the symbols of their thoughts and feelings from the venerable imagery of external nature, or from that condition of society which is most transparent in its simplicity, that, when they utter themselves, they speak to all ages, it is also no less true, that this is the reason why the greatest men, those of the highest order of intellect, often do not appear very great to their contemporaries. Their most precious sayings are naked, if not invisible, to the eyes of the conventional, precisely because they are free of the thousand circumstances and fashions which interest the acting and unthinking many. The greatest minds take no cognizance of the local interests, the party

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*Nature.—James Monroe & Co.—1836—Boston.

Oration delivered before the Phi-Beta-Kappa Society, at Cambridge, August 31, 1837, by Ralph Waldo Emerson. Published by request. Boston—James Monroe & Co., 8vo. pp. 26.

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spirit, and the pet subjects of the literary coteries of particular times and places. Their phraseology is pure from the ornament which is the passing fashion of the day. As, however, they do not think and speak for their own order only, as they desire to address and receive a response from the great majority of minds—even from those that doubt their own power of going into the holy of holies of thought for themselves—there is needed the office of an intermediate class of minds, which are the natural critics of the human race. For criticism, in its worthiest meaning, is not, as is too often supposed, fault-finding, but interpretation of the oracles of genius. Critics are the priests of literature. How often, like other priests, they abuse their place and privilege, is but too obvious. They receive into their ranks the self-interested, the partisan, the lover of power, besides the stupid and frivolous; and thus the periodical literature of the day is in the rear, rather than in advance of the public mind.

After this preamble, which we trust has suitably impressed the minds of our readers with the dignity of the critical office, we would call all those together who have feared that the spirit of poetry was dead, to rejoice that such a *poem* as "Nature" is written. It grows upon us as we reperuse it. It proves to us, that the only true and perfect mind is the poetic. Other minds are not to be despised, indeed; they are germs of humanity; but the poet alone is the man—meaning by the poet, not the versifier, nor the painter of outward nature merely, but the total soul, grasping truth, and expressing it melodiously, equally to the eye and heart.

The want of apprehension with which this *poem* has been received, speaks ill for the taste of our literary priesthood. Its title seems to have suggested to many persons the notion of some elementary treatise on physics, as physics; and when it has been found that it treats of the *metaphysics* of nature—in other words, of the highest designs of God, in forming nature and man in relations with each other—it seems to have been laid down with a kind of disgust, as if it were a cheat; and some reviewers have spoken of it with a stupidity that is disgraceful alike to their sense, taste, and feeling.

It has, however, found its readers and lovers, and those not a few; the highest intellectual culture and the simplest instinctive innocence have alike received it, and felt it to be a divine Thought, borne on a stream of 'English undefiled,' such as we had almost despaired could flow in this our world of grist and saw mills, whose utilitarian din has all but drowned the melodies of nature. The time will come, when it will be more universally seen to be "a gem of purest ray serene," and be dived after, into the dark unfathomed caves of that ocean of frivolity, which the literary productions of the present age spread out to the eyes of despair.

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We have said that "Nature" is a poem; but it is written in prose. The author, though "wanting the accomplishment of verse," is a devoted child of the great Mother; and comes forward bravely in the midst of the dust of business and the din of machinery; and naming her venerable name, believes that there is a reverence for it left, in the bottom of every heart, of power to check the innumerable wheels for a short Sabbath, that all may listen to her praises.

In his introduction, he expresses his purpose. He tells us, that we concede too much to the sceptic, when we allow every thing venerable in religion to belong to history. He tells us that were there no past, yet nature would tell us great truths; and, rightly read, would prove the prohecies of revelation to be "a very present God;" and also, that the past itself, involving its prophets, divine lawgivers, and the human life of Him of Nazareth, is comparatively a dead letter to us, if we do not freshen these traditions in our souls, by opening our ears to the living nature which forevermore prepares for, and re-echoes, their sublime teachings.

"The foregoing generations," he says, "beheld God face to face: we, through their eyes. Why should not *we* also enjoy an original relation to the Universe?"

Why should we not indeed? for *we* not only have the Universe, which the foregoing generations had, but *themselves* also. Why are we less wise than they? Why has our wisdom less of the certainty of intuition than theirs? Is it because we have more channels of truth? It may be so. The garden of Eden, before the fall of man, and when God walked in its midst, was found to be a less effective school of virtue, than the workshop of a carpenter, in a miserable town of Judea, of which 'an Israelite without guile' could ask, "*Can* any good come out of Nazareth?" And is not this, by the way, a grave warning to the happily circumstanced of all time to tremble—lest they grow morally passive, just in proportion to their means of an effective activity? With the religion of history must always be combined the religion of experience, in order to a true apprehension of God. The poet of "Nature" is a preacher of the latter. Let us "hear him gladly," for such are rare.

The first Canto of this song respects the outward form of Nature. He sketches it in bold strokes. The stars of Heaven above—the landscape below—the breathing atmosphere around—and the living forms and sounds—are brought up to us, by the loving spirit of the singer; who recognizes in this drapery of the world without, the same Disposer that arranged the elements of his own conscious soul. Thus, in his first recognition of Nature's superficies, he brings us to Theism. There is a God. Our Father is the author of Nature. The brotherly "nod" of companionship assures us of it.

But wherefore is Nature? The next Canto of our Poem answers this question in the most obvious relation. It is an answer that

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"all men apprehend." Nature's superficies is for the well-being of man's body, and the advantage of his material interests. This part of the book requires no interpretation from the critic. Men are active enough concerning commodity, to understand whatever is addressed to them on this head. At least there is no exception but in the case of the savage of the tropics. *His* mind has not explored his wants even to the extent of his body. He does not comprehend the necessities of the narrowest civilization. But whoever reads Reviews, whoever can understand our diluted English, can understand still better this concentrated and severely correct expression of what every child of civilization experiences every day. There is but one sentence here, that the veriest materialist can mistake. He may not measure all that the poet means when he says, man is thus conveniently waited upon in order "that he may work." He may possibly think that "work" relates to the physical operations of manufacture or agriculture. But what is really meant is no less than this; "man is fed that he may work" with his mind; add to the treasures of thought; elaborate the substantial life of the spiritual world. This is a beautiful doctrine, and worthy to be sung to the harp, with a song of thanksgiving. Undoubtedly Nature, by working for man with all her elements, is adequate to supply him with so much "commodity" that the time may be anticipated when all men will have leisure to be artists, poets, philosophers,—in short, to live through life in the exercise of their proper humanity. God speed to the machinery and application of science to the arts which is to bring this about!

The third Song is of Nature's Beauty, and we only wonder why it was not sung first; for surely the singer found out that Nature was beautiful, before he discovered that it was convenient. Some children, we know, have asked what was the use of flowers, and, like little monkeys, endeavouring to imitate the grown-up, the bearings of whose movements they could not appreciate, have planted their gardens with potatoes and beans, instead of sweet-briar and cupid's-delights. But the poet never made this mistake. In the fullness of his first love for his "beautiful mother," and his "gentle nest," he did not even find out those wants, which the commodity of Nature supplies.

"Give me health and a day," he says, "and I will make the pomp of emperors ridiculous. The dawn is my Assyria; the sunset and moonrise my Paphos and unimaginable realms of faerie; broad noon shall be my England of the senses and understanding; the night shall be my Germany of mystic philosophy and dreams."

If this subjection of all nature to himself does not prove intimate acquaintance, the following severe truth of fact must do so:

"The shows of day, the dewy morning, the rainbow, mountains, orchards in blossom, stars, moonlight shadows in the still water, and the like, if too eagerly hunted, become shows merely, and mock us with their unreality. Go out of the house to see the moon and 'its mere tinsel,' &c.

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The second passage on Beauty, is one of those which recalls the critic to the office of interpreter, for it is one which the world has called mystical. To say the same thing in worse English, the oracle here tells us, that if we look on Nature with pleasurable emotions only, and without, at the same time, exerting our moral powers, the mind grows effeminate, and thus becomes incapable of perceiving the highest beauty of whose original type the external forms are but the varied reflections or shadows. When man's moral power is in action, the mind spontaneously traces relations between itself and surrounding things, and there forms with Nature one whole, combining the moral delight which human excellence inspires, with that suggested by Nature's forms.

The next passage rises a step higher in the praise of Beauty. It recognizes the cherishing influence of Nature's forms upon the faculties. Nature not only calls out taste, not only glorifies virtue, and is in its turn by virtue glorified, but it awakens the creative impulse—God's image in man. Hence Art, or "Nature in miniature." And the works of Art lead back to Nature again. Thus Beauty circulates, and becomes an aspect of Eternity.

The next chapter, showing that Language is founded on material Nature, is quite didactic. But even here one critic* quotes a sentence, of which he says, he cannot understand "what it means."

"This relation between the mind and matter is not fancied by some poet, but stands in the will of God, and so is free to be known by all men. It appears to men, or it does not appear."

Where lies the obscurity? We have heard some men say that they did not believe that the forms of Nature bore any relation to the being of God, which his children could appreciate; but even these men could not understand the simple proposition of the opposite theory. Men may think that all nations, whose language has yet been discovered, have called youth *the morning of life*, by accident; but it is inconceivable that they should not understand the simple words in which other men say that there is *no accident in the world*, but all things relate to the spirit of God to which man also has relation and access. Perhaps, however, it is the second sentence which in unintelligible, "it appears to men, or it does not appear." In other words, *to people with open eyes there are colors; to people with shut eyes, at least, to those born blind, there are no colors.*

But having come to this fact, viz: that "the relation between mind and matter stands in the will of God," our poet grows silent with wonder and worship. The nature of this relation he acknowledges to be the yet unsolved problem. He names some of the principal men who have attempted a solution. Many readers of his book would have been glad, had he paused to tell us, in his brief

* Christian Examiner.

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comprehensive way, what was the solution of Pythagoras, and Plato, Bacon, Leibnitz, and Swedenborg, with remarks of his own upon each.

As to his own solution, some say he is unintelligible, talks darkly. They do not seem to have observed that he says nothing in the way of solution, so that nothing can be darkly said. This is what has disappointed the best lovers of his book. But if he does not give his own solution of the enigma, he does what is next best, he tells us the condition of solving it ourselves.

"A life in harmony with nature, the love of truth and of virtue, will purge the eyes to understand her text. By degrees we may come to know the primitive sense of the permanent objects of Nature, so that the world shall be to us an open book, and every form significant of the hidden life and final cause."

The chapter on Discipline is still more didactic than the one on Language. The first portion treats of the formation of the Understanding by the ministry of Nature to the senses, and faculty of deduction. The second section is in a higher strain. It treats of the developement of the Reason and Conscience, by means of that relation between matter and mind, which "appears" so clearly to some men, and to all in a degree. It is a pity to give an extract from what is so fine in the whole, but a single sentence must give the hint to the character of this section:

"The moral influence of Nature upon every individual, is the element of truth which it illustrates to him. Who can estimate this? Who can guess how much firmness the seabeaten rock has taught the fisherman? How much tranquillity has been reflected to man from the azure sky, over whose unspotted deep the winds forever more drive flocks of stormy clouds, and leave no wrinkle nor stain? How much industry and providence and affection we have caught from the pantomime of brutes? What a searching preacher of self-command is the varying phenomenon of health?"

In the last part of this chapter on Discipline, the author makes a bold sally at the cause of the analogy between the external world and the moral nature. He implies that causes (the spiritual seeds of external things) are identical with the principles that constitute our being; and that *virtues* (the creations of our own heaven-aided wills) correspond to God's creations in matter; the former being the natural growth in the moral world, the latter the natural growth in the material world; or to vary the expression once more, Goodness being the projection inward—Beauty the projection outward—of the same all-pervading Spirit.

Our author here leaves the didactic, and "the solemn harp's harmonious sound" comes full upon the ear and the heart from the next Canto of his poem—Idealism. No part of the book has been so mistaken as this. Some readers affect to doubt his Practical Reason, because he acknowledges, that we have no evidence of there being essential outlying beings, to that which we certainly see, by consciousness, by looking inward, *except 'a constant faith' which God gives us of this truth.* But why should 'the noble

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doubt,' which marks the limit of the understanding, be so alarming, when it is found to be but an introduction of the mind to the *superior certainty* residing in that 'constant faith?' Do we not advance in truth, when we learn to change the childish feeling by which we ascribe reality to the 'shows of things,' for a feeling involving a sense of God, as the only real—immutable—the All in All?

The theory of Idealism has doubtless been carried to absurdity by individuals who but half understood it; and has still more often been represented in a way which was not only useless but injurious to minds entirely dependent on what others say: for, to borrow two good compounds from Coleridge, the *half-Ideas* of many would-be Idealist writers, have passed, perforce, into the *no-Ideas* of many would-be Idealist readers. But Mr. Emerson has sufficiently guarded his Idealism by rigorous and careful expression, to leave little excuse for cavilling at his words or thoughts, except, indeed, by professed materialists and atheists, to whom he gives no ground.

"The frivolous make themselves merry," he says, "with the Ideal theory, as if its consequences were burlesque; as if it affected the stability of nature. It surely does not. God never jests with us, and will not compromise the end of Nature, by permitting any inconsequence in its procession. Any distrust of the permanence of laws, would paralyse the faculties of man. Their permanence is sacredly respected, and his faith therein is perfect. The wheels and springs of man are all set to the hypothesis of the permanence of Nature. We are not built like a ship to be tossed, but like a house to stand."

He proceeds to give the progressive appearances of Nature, as the mind advances, through the ministry of the senses, to "the best and the happiest moments of life, those delicious awakenings of the higher powers,—the withdrawing of Nature before its God." The means by which Nature herself, Poetic genius, Philosophy, both natural and intellectual—and, above all, Religion and Ethics, work, to idealize our thought and being, are then minutely pointed out. No careful thinker can dispute a step of the process. We are tempted to quote all these pages and defy the materialist to answer them. But for those sober Christians, who ignorantly and inconsistently fear Idealism, one paragraph will answer the purpose:

"The first and last lesson in religion is, *the things that are seen are temporal, the things that are unseen are eternal.* It puts an affront upon Nature. It does that for the unschooled, which philosophy does for Berkely and Viasa. The uniform language that may be heard in the churches of the most ignorant sects is, *contemn the unsubstantial shows of the world; they are vanities, dreams, shadows, unrealities; seek the realities of religion.* The devotee flouts Nature. * * * * * * They might all better say of matter, what Michael Angelo said of external beauty, *it is the frail and weary weed in which God dresses the soul, which he has called into time.*"

Many philosophers have stopped at Idealism. But, as Mr. Emerson says, this hypothesis, if it only deny, or question the existence of matter "does not satisfy the demands of the Spirit. It leaves God out of me. It leaves me in the splendid labyrinth of my

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perceptions, to wander without end. Then the heart resists it, because it baulks the affections, in denying substantive being to men and women."

Mr. Emerson then proceeds to his chapter on Spirit, by which he means to suggest to us the substantial essence of which Idealism is the intellectual form. But this chapter is not full enough, for the purposes of instruction. One passage is indeed of great significance:

"But when, following the invisible steps of thought, we come to inquire, Whence is matter? and whereto?—many truths arise out of the depths of consciousness. We learn that the highest is present to the soul of man; that the great universal essence which is not wisdom, or love, or beauty, or power, but all in one and each entirely, is that for which all things exist, and that by which what they are; *that Spirit creates;* that behind Nature, throughout Nature, *Spirit is present,* that Spirit is one and not compound; that Spirit does not act upon us from without, that is, in space of time, but spiritually or through ourselves. Therefore, that Spirit, that is the Supreme Being, does not build up Nature around us, but puts it forth through us, as the life of the tree puts forth new branches and leaves through the pores of the old. As a plant upon the bosom of God, he is nourished by unfailing fountains, and draws at his need inexhaustible power. Who can set bounds to the possibilities of Man? Once inspire the infinite, by being admitted to behold the absolute natures of justice and truth, and we learn that man has access to the entire mind of the Creator in the finite. This view, which admonishes me where the sources of wisdom and power lie, and points to virtue as

'The golden key
Which opes the palace of Eternity,'

carries upon its face, the highest certificate of truth, because it animates me to create my own world through the purification of my soul."

This is not only of refreshing moral *aura,* but it is a passage of the highest imaginative power, (taking the word *imaginative* in that true signification which farthest removes it from *fanciful,*) the mind must become purified indeed which can take this point of view, to look at "the great shadow pointing to the sun behind us." Sitting thus at the footstool of God, it may realise that all that we see is created by the light that shines through ourselves. Not until thus purified, can it realise that those through whose being more light flows, see more than we do; and that others, who admit less light, see less. What assistance in human culture would the application of this test give us! How would our classifications of men and women be changed, did the positive pure enjoyment of Nature become the standard of judgment! But who may apply the standard? Not every mawkish raver about the moon, surely, but only a comprehender of Nature. And has there yet been any one in human form, who could be called a comprehender of Nature, save Him who had its secret, and in whose hands it was plastic, even to the raising of the dead?

Mr. Emerson must not accuse us of ingratitude, in that after he had led his readers to this high point of view, they crave more, and accuse him of stopping short, where the world most desires and needs farther

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guidance. We want him to write another book, in which he will give us the philosophy of his "orphic strains," whose meaning is felt, but can only be understood by glimpses.

He does, indeed, tell us that "the problem of restoring to the world original and eternal beauty," (in other words, of seeing Nature and Life in their wholeness), "is solved by the redemption of the soul." It is not unnecessary for the philosopher thus to bring his disciples round, through the highest flights of speculation, to the primitive faith of the humblest disciple, who sits, in the spirit of a child, at the feet of Jesus. But we should like to hear Mr. Emerson's philosophy of Redemption. It is very plain that it consists of broad and comprehensive views of human culture; worthy to employ the whole mind of one who seeks reproduction of Christ within himself, by such meditations as the following, which must be our last extract:

"Is not Prayer also a study of truth—a sally of the soul into the unfound infinite? No man ever prayed heartily without learning something. But when a faithful thinker, resolute to detach every object from personal relations, and see it in the light of thought, shall, at the same time, kindle science with the fire of the holiest affections, then will God go forth anew into the creation."

Thus far we had written, and laid our manuscript aside, when Mr. Emerson's Oration, (delivered before the Phi Beta Kappa Society at Cambridge, August 31, 1837,) was laid upon our table. This is indeed a brave call upon the American scholar, "in strains that might create a soul under the ribs of death."

The main doctrine of this oration is, that the essential function of the scholar is THINKING; not thinking as an individual, but as man. All the general truth he arrives at, and only that, gives him a title to call himself MAN-THINKING. To unfold among men this thinking man, which is no individual thinker, but into which every individual thinker rises, in his highest moments, Mr. Emerson speaks, firstly, of the influence of Nature upon the mind, awakening the impulse to classification, which is science; secondly, of the influence of foregoing generations, whose minds are recorded in books, which he shows were made for man, and not man for them; and, thirdly, of the effect of strenuous action in real life.

We must let him speak for himself on this third head. The passage which follows will show, as well as any other, both the practical reason and the lofty imagination which unite in this gifted scholar. What St. Paul says, shall be done "in the twinkling of an eye," is here analysed for our deliberate contemplation.

"So much only of life as I know by experience—so much of the wilderness have I vanquished and planted, or so far have I extended my being, my dominion. I do not see how any man can afford, for the sake of his nerves and his nap, to spare any action in which he can partake. It is pearls and rubies to his discourse. Drudgery,

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calamity, exasperation, want, are instructors in eloquence and wisdom. The true scholar grudges every opportunity of action past by, as a loss of power.

"It is the raw material out of which the intellect moulds the most spendid products. A strange process too, this, by which experience is converted into thought, as a mulberry leaf is converted into satin. The manufacture goes on at all hours.

"The actions and events of our childhood and youth, are now matters of calmest observation. They lie like fair pictures on the air. Not so with our recent actions —with the business which we now have in hand. On this we are quite unable to speculate. Our affections as yet circulate through it. We no more feel or know it, than we feel the feet, or the hand, or the brain of our body. The new deed is yet a part of life—remains for a time immersed in our unconscious life. In some contemplative hour, it detaches itself from life, like a ripe fruit, to become a thought of the mind. Instantly, it is raised, transfigured; the corruptible has put on incorruption. Always now it is an object of beauty, however base its origin and neighbourhood. Observe, too, the impossibility of antedating this act. In its grub state, it cannot fly, and cannot shine—it is a dull grub. But suddenly, without observation, the selfsame thing unfurls beautiful wings, and is an angel of wisdom. So is there no fact, no event in our private history, which shall not, sooner or later, lose its adhesive inert form, and astonish us by soaring from our body into the empyrean. Cradle and infancy, school and play-ground, the fear of boys, and dogs, and ferules, the love of little maids and berries, and many another fact that once filled the whole sky, are gone already; friend and relative, profession and party, town and country, nation and world, must also soar and sing."

And again:

"The mind now thinks, now acts; and each fit reproduces the other. When the artist has exhausted his materials—when the fancy no longer paints—when thoughts are no longer apprehended, and books are a weariness—he has always the resource *to live*. Character is higher than intellect. Thinking is the function—living is the functionary. The stream retreats to its source. A great soul will be strong to live, as well as strong to think. Does he lack organ or medium to impart his truths? He can still fall back on this elemental force of living them. This is a total act. Thinking is a partial act. Let the grandeur of justice shine in his affairs. Let the beauty of affection cheer his lowly roof. Those "far from fame" who dwell and act with him, will feel the force of his constitution in the doings and passages of the day, better than it can be measured by any public and designed display. Time shall teach him that the scholar loses no hour which the man lives. Herein he unfolds the sacred germ of his instinct—screened from influence. What is lost in seemliness, is gained in strength. Not out of those on whom systems of education have exhausted their culture, comes the helpful giant to destroy the old or to build the new, but out of unhandselled savage nature, out of terrible Druids and Berserkins, come out at last Alfred and Shakespeare.

"I hear therefore with joy whatever is beginning to be said of the dignity and necessity of labour to every citizen. There is virtue yet in the hoe and spade, for learned as well as for unlearned hands. And labour is every where welcome; always are we invited to work—only be this limitation observed, that a man shall not for the sake of wider activity sacrifice any opinion to the popular judgments and modes of action."

From the means of the scholar's education, the orator then proceeds to his duties. "They are such," he says, "as become man-thinking. They may all be comprised in self-trust. The office of the scholar is to cheer, to raise, and to guide men, by showing them facts amid appearances.

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We will work with our own hands; we will speak our own minds. Then shall man no longer be a name for pity, for doubt, and for sensual indulgence. The dread of man, and the love of man, shall be a wall of defence and a wreath of love around all; and a nation of men will for the first time exist, because each believes himself inspired by the divine soul which inspires all men."

THE SPIRIT OF PEACE.

Spirit of Peace, sweet vision, come again
  Alluring phantom—stay thy wayward flight!
Forever distant must thy form remain,
  Or fondly haunt, to vanish from my sight—
Yet I will watch, and in the hour of prayer
Spirit, may hope to feel thy influence there.

Is it in dreams that thou art only found,
  When the tossed mind is sunk in tranquil rest,
That thy far shadow floats in brightness round,
  And for a moment soothes the tortured breast!
Yes, yes, sweet spirit, beautiful thou art,
When thus in dreams thou steal'st upon the heart!

There is a light falls on the distant sea,
  From midnight stars that o'er its billows shine;
A music in the wild waves' melody,
  That seems the breathings of thy voice divine;
I gaze, and fancy pictures thee afar,
In every silvery cloud, and Heaven illuming star.

I hear thy step upon the grassy mound;
  I feel thee in the zephyr murmuring by;
The gush of waters, with their fresh'ning sound,
  And the deep glory of the twilight sky.
No, not with pomp or splendor dost thou dwell;
Thy home, the lonesome wood, the mountain and the dell.

Spirit of Peace—once more my weary eyes
  Turn to those fields that stretch beyond my sight;
To those dim hills that melt in golden skies,
  And image there, thy wings of radiant light;
See thee in passing clouds, and catch the gleam
Of thy bright shadow in the glassy stream.

C. E. da P.

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THE CHARTER,

AN HISTORICAL TALE OF CONNECTICUT.

By the Author of "The South-West" and "Lafitte."

I.

At the close of an autumnal day in 1668, a troop of horse might have been seen winding their way southwardly along a forest-path, by the banks of the Connecticut river. At its head, side by side, rode two cavaliers. The elder was about thirty-five years of age, of a noble presence and a dignified and soldierly air. The visor of a helmet shaded the upper portion of his face, though it did not conceal the fire of a pair of piercing blue eyes, over which square and massive brows were sternly and habitually bent. His complexion had once been fair, if we might judge from the light flaxen locks flowing abundantly over his shoulders after the fashion of the period. Exposure to many climates had now robbed his skin of the blond, and given it a brown hue—a shade more befitting a warrior's cheek. A well-trimmed beard, extending from ear to ear, swept his breast-plate. His upper lip was graced by a handsome mustache, a thought darker than his hair. It nearly hid his mouth,—which, so far as it could be discovered, was finely shaped, with the lips pressed together with an air of determination. When he spoke, however, it wore a more agreeable expression, with which his full and manly voice harmonized; yet, nevertheless, there was something in his countenance that repelled confidence. His person was protected by the demi-proof armour of that day; the period when the mailed knight, in a state of chrysalis, was merging into the modern officer. Over his breast-plate, which was indented, but highly burnished, was passed a broad buff belt, to which was appended a serviceable sword; from his holsters also protruded the butts of a richly ornamented pair of Spanish pistols, then in as much repute as the Damascus blade a few centuries earlier. He was well mounted on a large brown English horse; and, as he paced along, he sat like a man to whom the saddle is a familiar seat. Although, from time to time he would interchange thoughts with his companion, his general manner was taciturn and grave.

The other was a youth who had not yet numbered quite twenty summers. His figure was slight and elegant; his manners careless, but graceful, and an air of rank and high breeding was evident in every movement. His cheek was dark as the Italian's; his eyes

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were black and brilliant; by turns piercing or tender, indolent or flashing. His raven and luxuriant hair fell about his neck in natural curls, lifting in the evening wind, and waving and flowing like the wanton tresses of a young girl. A slight mustache darkened his upper lip, but did not hide his fine mouth. He wore a plain, but rich suit of mourning. His breast-plate and scabbard were also of the same sable hue. He rode a snow white horse, with a long, sweeping tail, and with the eye and limb of an Arabian barb; which, as it ambled by the side of the larger steed, picked its steps as daintily as if it had been shod with the slippers of Cinderella. The general tone of his manner was a graceful indolence and an elegant nonchalance, though altogether divested of any, even the least grain of foppery. With a face as strongly marked with intelligence and good sense, as that of his older companion, and a look indicating a still haughtier spirit, his whole appearance was strikingly in contrast with his; inviting confidence and friendship in men,—in women, love. The two seemed to be, however, on the most familiar terms of intimacy, notwithstanding their opposite characters and the additional disparity of their years. Near them rode a black servant in a gorgeous livery, upon which he evidently prided himself.

Behind these cavaliers rode two more gentlemen—one of them was a large, heavy man, apparelled much like the elder cavalier above mentioned; the other, save a sword at his side, and pistols in his holsters, wore the black dress of a citizen. The former had a bold look and unpleasant eye. The latter was a man of a milder cast. They conversed together while they rode along, as if deeply interested in their subject, addressing each other respectively as Randolph and Dudley; the last name being applied to the citizen. In the rear of these, riding two abreast, came a lengthened column of horse, consisting mostly of mounted grenadiers, with perhaps, half score of dragoons—a band of rough, stalworth looking warriors. Their brows were covered with iron helmets, crested with horsehair, and they wore heavy breast and thigh pieces. They all had broadswords hanging at their belts, and cumbersome matchlocks swung across their backs. With their huge proportions, warworn visages, grizzly beards and fierce mustaches, they presented altogether a very truculent and formidable appearance. They trotted along in good order; some in stern silence, and as immovable in their saddles as statues; others in most unmilitary ease, jesting with a comrade; and one or two with their usual position reversed, seated with their backs to their horses' heads, talking and laughing with those behind. A small party of Indians brought up the rear; two of whose number, we should have mentioned before, acted as guides, and ran at an untiring pace, a little in advance of the two cavaliers, balancing in their right hand tomahawks, secured to long poles, which served them as weapons of defence against wild beasts,

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and assisted them in crossing ravines, scaling precipices, and clearing obstacles from the path of the horsemen. While the cavalcade are slowly trotting through the wood, we will turn to the two cavaliers. They have been riding for sometime without interchanging a word; the younger studying like an amateur the fine animal action of one of the half-naked, athletic Indian guides; the other busied in severe, and apparently far from agreeable, reflections.

"Mehercule!" said the younger, breaking silence, "I would enter that fellow on the right hand, against the best Athleta of the best days of Greece. Pity the old Romans had not known of the existence of this continent—they could have matched their arena then against the world. By Jove! Andross, we must pit two of these most supple heathens against each other, when we bivouac tonight. By the by! I should like to behold this fair mistress of thine. If report do not belie her, she has beauty. Think you she will not play you false in this Charter scheme? These women are the devil. There is no dependence to be placed in one of them. A man might tell as readily what's o'clock by a church vane, as a woman's mind by her tongue."

"You are severe, Trevor," said the other smiling; "Helen is not to be weighed in the scale of other women."

"Thou art a true lover, which doth put his mistress before all the world, an she were a black-a-moor," said the younger, laughing and whisking his horse over the ears, by way of pastime, with an ivory riding whip, terminating in a green silk tassel.

"Her attachment to his Majesty's Government," continued the former, "is from principle."

"And her attachment to your knightly self."

"Hist, boy!" he said, in an impatient, half-pleased tone.

"Boy! By my manhood! an' thou dist wear a broadsword some four inches shorter than thou dost, I would quarrel with thee on that argument."

"Discretion is the only part of valor of which thou has any knowledge, Trevor. Cherish it. 'Twill do thee service yet."

"Gramercy for that! Thy wits brighten as thy love warms. 'Twill be at a white heat when you reach Hartford—then heaven save the mark! Your wit will flash and crackle like 'thorns under a pot,' as these puritans would phrase it."

"Humph! You should mount cap and bells, Edward. The sun is low," he added, changing his tone. "We must be near Hartford."

"Judging from the temperature of thy wit 'twere not quite a league."

"A truce to this folly," said Sir Edmund Andross, with a slight shade of pique in the tone of his voice; "can you be serious?"

"As a puritan," replied Trevor, smoothing his features. "But,"

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he asked, suddenly changing his manner, "do you really mean to obtain this Charter by the stratagem you spoke of? If the lady were of the right mettle, perhaps there were hopes of success."

"She is as loyal as I could wish."

"Doubtless—'Tis said a woman has no politics, but her husband's or lover's."

"Pish! She was educated in England, you are aware."

"True! 'Twas at court you saw her. Pity thy breast-plate were not on, to have saved thy heart. 'Twas a pretty romance, your wooing! Methinks I could write a tale upon it, as 'twas given me by the pages. 'Twas a sad parting that, when she sailed for America. This should end the first book. The second should begin with my hero, kneeling before his Majesty, and sueing for the governorship of the colonies, that he might be near his mistress. By the mass! 'twere a brave theme. I could make a book, would surpass the Arabian Nights' entertainments, and fit for the princess of Persia to read. 'Twere an excellent jest. It shall be done when I get back to London. To contemplate thy stern visage and vigorous beard, Andross, one would not believe thou wert, in verity, a sighing swain. They say my cousin is charming. I hope she will second you bravely."

"There is no question."

"Yet, methinks, I would rather win this Charter by a score or two of good round blows with broadsword, than trust to Cupid's arrows, be they never so sharp. Perhaps the council will resign it peaceably."

"If they do not, and I cannot obtain it through Helen, I shall try what virtue lieth in these arguments," he said, casting a significant glance behind.

"St. George and amen! Heaven arm their stubborn brains with obstinacy, if 'twill bring us to blows. Of all things I would like to give these refractory colonists a sound pummeling."

"We must be near the termination of our march," said the citizen behind;" it is five days since we left Boston, and though the road hath been none of the best, we have sped well."

"This wilderness is not St. James', as my limbs can testify," said Randolph, lifting himself in the saddle and shaking his huge frame till his armour rung again.

"And that thou art not a feather, thy mare's limbs will testify, I'll be sworn," said Trevor. "Look, Andross! something of interest attracts the attention of our guides. See! my Athleta is waving his hand. I will ride forward and learn what it is."

"Putting spurs to his horse, the young man dashed up the hill, followed more leisurely by his companion. On gaining the summit, where the Indians had halted, and were pointing southward, he beheld to his great joy, at the extremity of a lovely valley, partly cul-

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tivated, through which the limpid river gracefully wound, a solitary tower lifting its top above the trees.

"Har'ford," grunted the Indian, whose leopard-like motions had taken the fancy of Trevor.

"Hartford it is!" repeated he. "Andross, spur up! Our march is ended. 'Yonder lies the capital of the vast empire we are about to invade," he continued, with playful irony. "Behold the tower of your imperial palace. Heavens, what a magnificent scene!" he exclaimed with enthusiasm, as his eyes took in the prospect around him.

Sir Edmund Andross, with the other gentlemen shared the pleasureable emotions of the enraptured Trevor. For a few moments they lingered on the brow of the hill, over which their road wound, and silently gazed upon the scene before them. The first frost had fallen upon the forests the night preceding, and the sudden change which follows it, had passed upon the foliage. During the day, the path of the cavalcade had been only through the gloomy depths of the wilderness; the sun seldom penetrating the dense canopy of leaves above their heads, and their vision bound in a narrow space by the closely-set trees which surrounded them. The prospect now spread out before their eyes, was therefore, from contrast the more striking. It was now the opening of the Indian summer; and the forests were dyed in the rich hues which in America mark this autumnal time. The glory of the scene they surveyed, mocks both the pencil of the painter and the pen of the writer. The cavaliers gazed with unmingled admiration on the scene.

"By St. George! there is no equal to this on the earth," said Trevor with animation. "'Tis a beautiful world, Andross! See yonder maple! You would believe its leaves dropped blood. Mark the gold and silver of that birch, vieing with the emerald hue of its neighbour! And see the sapphire and carbuncle mingling with the dark green of yon water-oak. Look at the side of that hill, which is clothed with maple and chesnut to its summit! It shines with a light of its own! Observe what a golden hue it has given to the flood! One would swear the river run melted gold between its banks. How beautiful—how glorious! Why are our English autumns so dull and colorless in comparison?"

"The atmosphere of our Islands," replied Sir Edmund, "is humid, and deadens the action of the frost. The transition from summer to autumn with us, is gradual; here, it takes place between sunset and sunrise."

"Beautiful!" said Trevor, casting his eyes lingeringly over the landscape, gilded by the setting sun; and then riding after his companion who had begun to follow the path to the forest beneath, he continued; "last night this sea of foliage was green as the sea itself, or the emerald on thy little finger; and now all the jewels in the

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earth's mines, if they multiplied a thousand times the changes of the prism, or rivalled the dies of the rainbow, could not match their colors. You have done well, Andross, to cast your lot in so fair a land. If thy mistress be, for a maiden, one half so fair, thou art a happy, as well as bold cavalier. 'Tis many years since I saw her. 'Twas before I went to Gottingen. If my memory serves me, she then held out the promise of great beauty."

"It is redeemed in her noble and lovely person."

"Is my cousin Kate equally fair? I have never seen her."

"I have not seen her yet. 'Tis said she is beautiful, though she is yet quite young."

"Loyal?"

"As her father," dryly answered Andross. "Forward!" he cried to his troop, as the rear gained the level ground; "close your files, and blow up your matches. Ride in silence, and ride well. Trot!"

Thus speaking, the knight and his companions put spurs to their horses, and rode forward at a pace which promised a speedy termination of their day's march. After an hour's ride, along a forest-road, which often brought them in sight of the river, but as frequently conducted them through the depths of the wood, they drew rein on an eminence half a mile from the town, which was indistinctly visible through the gathering twilight.

"Gentlemen," said Sir Edmund Andross, after he had given the command to halt; "we are now before the place of our destination. I will go into the town alone, to reconnoitre, and learn what I can of public feeling. The troop will refresh themselves for half an hour, when, Trevor, I wish you to approach as near the town as possible without causing alarm, and await my orders."

The horses were tied together in parties to adjacent trees; all with their girths loosened, and several with their saddles taken off. The men had laid aside their heavy caps and breast-plates, and, seated on the grass in divisions, were taking their evening meal. In their rear, in various natural attitudes, were grouped the Indians, belonging to the party, they having kept up with it on foot without effort, also engaged in partaking of their frugal fare. The gigantic trees towering above—the dark defiles—the groups of horses and men—the Indian party in native costume—the two or three still mounted cavaliers in the foreground—the pacing sentinels—the sweeping river—the distant roofs and tower of the town—altogether presented an interesting and highly picturesque scene.

"Now, Trevor," said Sir Edmund Andross, looking around the camp, after having slightly refreshed himself, and finding all as he could wish, "I leave you in command. Preserve the strictest vigilance. At present I do not wish the Assembly to know that I have an armed force to sustain my claim. I will first try mild measures

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with them. See that you are to horse within the half-hour and waiting me outside the town. Now let me assume the puritan."

Here the knight threw a citizen's cloak over his warlike apparel, and exchanged his helmet for a flapped hat, which the slave hitherto had carried for his use.

"Shall I accompany your Excellency?" asked Dudley, placing a foot in his stirrup.

"Not now, good citizen. 'Twill excite suspicion. You are well known. So is Randolph. Messieurs, I pray you be guided by my wishes. I will soon return. Follow me, Cato. Gentlemen, adieu!"

Thus speaking, the knight threw himself across his saddle and followed by his African slave, disappeared on the road in the direction of the town.

II.

A few historical incidents in the early history of Connecticut, will explain the circumstances which brought the imposing military cavalcade we have been describing, to that peaceful and unwonted region.

In the year 1620, King James the First, by letters patent under the great seal of England, incorporated Robert, Earl of Warwick, the Duke of Lennox, and forty noblemen and gentlemen, by the name of the "Plymouth Council," and formally granted them that portion of America now embraced by New England. This is the original grant on which are constructed all subsequent grants made to the New England colonies. In 1630, the Earl of Warwick, who was President of the Plymouth Council, received from that body a special grant of that territory which now comprehends Connecticut. This grant King Charles the First confirmed to him by a patent. The following year, under his own hand and seal, this nobleman made a grant of the land to Lord Say and Seal, and Lord Brook and others; at the same time transferring to them the patent he had received from Charles the First. This is the original patent of Connecticut. The settlers of the new colony, by this conveyance, became patentees of Lord Say and Seal. Notwithstanding the right conferred upon them by their patent, it became necessary, before they could open plantations, to purchase the Indian title to the lands. This was not finally effected until 1660, when the distinguished Sachem, Uncas, chief of the Mohegans, for "certain presents made to his satisfaction," surrendered his last reservation of hunting grounds, and gave the patentees a clear and ample deed of all the territory covered by their patent.

The colony having added the *native* title to their patent, determined in a general assembly to make application for a CHARTER

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under the royal signature. Formally avowing their allegiance to his Majesty Charles the Second, and declaring in well-set terms, that all the inhabitants of the colony were his faithful and loving subjects, (it being soon after the Government of England was settled in King and Parliament,) they petitioned him for his grace and countenance, and the confirmation of their rights and privileges. John Winthrop, Esquire, Governor of the colony, was appointed the agent to present the petition to his Majesty. In the petition, it was humbly represented, that the greatest part of the colony had been obtained from the Indians by grant, and "valuable considerations;" that some other part thereof had been obtained by conquest. "Governor Winthrop," says the courteous historian, Trumbull, "was a gentleman of address and elegant manners."

On being presented to the King, he took from his finger an extraordinary ring, of great price and beauty, and kneeling said:

"Will your Majesty graciously condescend to accept this ring, which was a gift to my grandfather, from your Majesty's father."

The King took the ring, gazed upon it a few moments with a sad countenance, and a tear was observed by those who stood around, to fall upon the jewel as he placed it reverently upon his finger. Turning to the petitioner, he said, with a pleasing voice, but with a melancholy air:

"No gift could have been so acceptable, fair sir, as this little memorial of my unhappy sire. I shall hold it very dear."

Under these auspicious circumstances, the petition was presented, and received with "uncommon grace and favour." On the twelfth of April, 1662, his Majesty granted the colony his letters patent, conveying to it the most ample privileges, under the great seal of England, and confirming to it the whole tract of country originally granted by Charles the First to the Earl of Warwick; and by him conveyed to Lord Say and Seal, and Lord Brook, in free and common socage. It ordained nineteen gentlemen as one body corporate and politic, by the name of "THE GOVERNOR AND COMPANY OF THE ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND, IN AMERICA," in perpetual succession, with the right of exercising all powers inherent in a free corporation. It was expressly ordained by the Charter, that the colonists should share equally with the free and natural subjects of the realm of England, in the privileges of the British constitution.

The Charter thus formally granted remained inviolate, until King James the Second came to the crown; a period of twenty-three years. This monarch brought to the throne a disposition cruel and tyrannical; he was obstinate in his opinions—strong in his prejudices; and withal, a bigoted Roman Catholic. He began his reign by a wanton violation of the constitution of the three Kingdoms, and by

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trampling on the laws and liberties of the people. In all transactions between the crown and the subjects, he evinced a remarkable destitution of the principles of honor and common faith; not only exhibiting frequent instances of flagrant injustice, but often times the want of humanity. More than forty corporations in England he deprived of their charters, including that of the city of London. The charters of Massachusetts and Rhode Island were demanded, and were either vacated or surrendered; and, with the exception, alone, of Connecticut, King James had appointed a general government over all New England. In this open and universal violation of kingly faith, the colonists of Connecticut could not, being Protestants, hope to escape; and hourly trembled for the security of their Charter. At length, in July, 1685, the expected mandate came, in the shape of a writ of *quo warranto*, issued against the Governor and Company, requiring their appearance before his Majesty, to show *by what warrant* they exercised certain powers and privileges.

In this alarming crisis, the Governor called a special assembly, to consult on the means to be employed for the preservation of the colony. The result of this council was a petition to the crown, praying the continuance of the rights of the colonists. Instead of a reply, Edward Randolph, an indefatigable enemy to the provinces, came over from England bearing two writs more imperative than the first; and the December following, a fourth writ was served on the Governor and colony, requiring their appearance before his Majesty, "within eight days of the purification of the blessed virgin." In this affair the duplicity characteristic of most of the public acts of James the Second was remarkably exemplified; for the writs named no proper time for their appearance, which was, says the historian, in fact, "no time at all." The colony not appearing, by its representatives, at time and place, all its chartered rights were declared vacated.

In December, 1686, therefore, Sir Edmund Andross arrived at Boston to take upon himself, under the crown, the administration of the Government of New England, including of course, Connecticut. After he had become settled in his new government, he addressed the Governor and Company of Connecticut, informing them that he held a commission from his Majesty to receive their Charter; further signifying his intention of marching to Hartford, to demand it in person at their hands, and assume the government. The Assembly was setting on the arrival of this epistle. Beneath its courteous and formal style, they had penetration enough to see that there was crouched a menace. Their reply was brief and decisive: "We will never, of our own wills, exchange our liberties for your chains."

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III.

The ancient borough of Hartford, for several days previous to the memorable thirty-first of October, was in a state of great and unwonted agitation. Anxiety sat upon the brows of all men. The blacksmith deserted his anvil; the shoemaker his last; the shopkeeper his counter; the old crept from their chimney nook; the young left their sports; the industrious became idle and the idle busy,—to collect together in groups, to discuss the perilous state of the time. The Assembly had met daily in the town-hall to examine the position in which they stood, and devise measures for preserving the Charter. The evening on which Sir Edmund Andross entered the town, they were still in session. Favored by his disguise and the thickening night, he rode along its principal thoroughfare, without meeting any interruption. As he passed the town-hall,—its size and location rendering it conspicuous, even to a stranger,—the lights in the windows and a throng about its doors, showed that the colonial council were assembled there.

He rode on at a pace that soon brought him and his slave in front of an imposing mansion, aristocratically lifting its snow white walls amid a grove of stately trees. It appeared to be placed in the midst of extensive grounds, partly lawn, partly garden, with an avenue leading from its portico to the street. Here it terminated in a spacious gateway, the pillars of which were surmounted by two small lions, sculptured from the red free stone which abounds in that region. He drew up at the gate, dismounted, and bidding the slave secure the horses and follow him, he cautiously entered the avenue. Moving lightly, and listening as he went, he approached the house, two or three apartments of which were lighted, giving it a lively and hospitable appearance.

"Take this ring, Cato," he said stepping aside, as he spoke, to the covert of a large chesnut which grew near the house, its huge limbs almost touching it; "Ask for Helen,—you saw her in England. Tell her I wait here to see her."

The slave was soon in the house, and after a moment's delay, an elegant woman, not more than twenty years of age, made her appearance in the hall, the whole range of which, the door being open, Andross commanded from his post of observation.

"Did you desire to speak with me?" she asked, advancing with graceful dignity and with a condescending manner. "What! Cato?" she exclaimed in a tone between surprise and pleasure.

"You are not alone? Where is ———."

"Here be um ring, Missus."

The lady seized the emerald, gazed upon it for an instant,—pressed it to her lips, and then asked in a low eager tone, "Where?"

"Dere!" replied the negro, pointing with his chin and a jerk of

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his shoulder towards the chesnut. Helen flew past him, and the next moment was pressed to the heart of her lover.

IV.

Helen Pierpont was the orphan niece and adopted daughter of Governor Treat. He had taken her, in infancy, to replace the loss of an only child, and had transferred to his protegée all his paternal love. When she was twelve years of age he sent her to England, where she received a superior education, and where her manners were formed on the most fashionable and high-bred scale. In London, on her presentation to court, Sir Edmund Andross, an accomplished cavalier and a favorite, both of his prince and the ladies of the court, saw her, and became enamored of her. He sought her society, and the week before she set sail for the province, he had received from the lips of the haughty American beauty, a confession of requited love. Sir Edmund Andross was a man of the world,—a brave soldier,—a polished gentleman,—and withal, a courtier of Charles the Second's reign. His face and figure were unexceptionable; and although his nature was somewhat stern and his temper hasty,—Helen saw in both, rather the natural attributes of the soldier, than the failings of the man.

His powers of pleasing were various and unsurpassed. He knew how to awaken from its secret recesses the love that slumbers in the maiden's heart, and seldom failed in creating an interest in the bosoms of those he sought to please. At his ardent solicitation, the King gave him the government of New England; and shortly afterwards he set sail for his province. He remained in Boston no longer than was necessary to receive the submission of the colonies of Massachusetts and Rhode Island, and settle himself in his government. He then, at the head of sixty grenadiers, a few dragoons, and a party of Indians marched upon Hartford, for the purpose of personally receiving the submission of the refractory colony, or enforcing his demand at the sword's point. Bold, persevering, and ambitious, he permitted no obstacles to stand between desire and possession. To resolve was, with him, to execute. No minor considerations had weight, when his individual interests were at stake. When he found persuasion ineffectual, he would then display his true disposition, and show himself divested, not only of moral principle and political faith, but, where he could exercise the power, cruel and tyrannical. Such was Sir Edmund Andross;—such the minion of Charles the Second;—appointed by him Governor of the colonies of puritans,—and such was the man who had won the affection of the haughty and fascinating Helen Pierpont.

"Helen," said Sir Edmund Andross, after the first words of meeting were interchanged,—receiving her arm and walking from

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the house, down a retired path, "I have come for the Charter."

"The council will never give it up, Edmund."

"I must compel them to do so."

"Oh, no. Remember my father is ———"

"I do. But there is no alternative, unless ———"

"What?" she demanded with interest.

"You can obtain it for me," he answered hesitatingly.

"That would not benefit you. 'Twould not be a surrender."

"I care not, so that I hold it in my possession, how it comes into my hands. 'Twill be equivalent to a surrender, ultimately,—as they will have no visible basis on which to found a plea of rights."

Helen reflected. "His Majesty's commands should be obeyed,—Edmund," she said, after a moment's silence, as if she was weighing her duty to her sovereign, against her duty to her uncle and benefactor. "If I obtain the patent for you, will you respect my father?"

"I will make him one of my council, and neither his power and influence with the colonists, nor his personal dignity, shall suffer. He shall still govern, though not in name."

"It shall be done. If my father be traitorous to his liege King, I will not be; but as a loyal subject, do my best to serve his Majesty."

"Spoken like yourself, Helen. How will you get possession of it? I trust more to you than to my whole troop."

"Listen. It is kept in a drawer in a bureau in the Governor's library, where all state papers are lodged. The key is in his escritoire, which he never locks. Remain here. In five minutes I will place it in your hands."

"Excellent. Hist! we are not alone."

"'Tis a bird we have frightened from its perch," said Helen listening. "Adieu! I will not be long absent.

"Run no risks, dear Helen," he said, detaining her.

"There is none, whatever. The Governor is at the Assembly room,—and there is no one in the house but the old house-keeper and servants."

"I will then go with you."

"Not for the world."

"I will at least accompany you to the portico."

"But not a step farther."

The latter part of this conversation took place near an arbour, at some distance from the house, whither their path had conducted them. Together the conspirators now left it, and retraced their steps, by the circuitous walk, to the dwelling. There were, however, feet which sought no path, but flew over the ground, the shortest route to the mansion, heedless of flower-beds or bushes, lawn or loam;—and bounding along with the light tread and fleetness of the hunted fawn. They were the feet of Catharine Wyllys,—the 'Cousin Kate' alluded to by the gay Trevor.

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Catharine Wyllys was the daughter of one of the wealthiest and most aristocratic gentlemen of the colony, who held a high office under the colonial government. He was the proprietor of a fine estate near the neighbourhood of Hartford, and his residence was on a beautiful swell of land not far from town,—commanding an extensive prospect of the winding Connecticut and the adjacent country. She was the cousin of Helen Pierpont,—but in affection they were sisters;—here all unity ceased! In person, habits, and tone of mind, they were the counterparts of each other. Helen was tall, with a commanding figure;—dark eyes, raven hair, and a somewhat haughty carriage;—the secret of which lay in her pride as an Englishwoman in education, feeling and prejudices, and in her contempt for the colonial females, save one,—her cousin Kate. In England she would have denied her country, for she was ashamed of it. Where her national prejudices were not assailed, she was gentle, frank, and pleasing, and the friend and benefactor of all who sought her bounty. Catharine was a sylph. with blue eyes, dancing with the heart's joy and beaming with tenderness. Her hair was soft and wavy, and of a golden auburn; her complexion was dazzling white, while the colour upon her cheek was as delicate as if the light were passed through a rose-leaf upon it. Her mouth and teeth were very beautiful, and she had one of the sweetest, merriest voices in the world, and a smile so bewitching, and a disposition so good, that she captivated all hearts. Nothing could be more exquisitely moulded than her figure. She seemed more like a creation of the poet's fancy, than a creature of substantial flesh and blood. Grace and lightness characterized every movement; and there was an indescribable charm in all that she did or said, which inspired confidence and affection at the first glance. She was just seventeen,—had never been out of the colony in her life,—was thoroughly homely in all her feelings and attachments, and ultra-American in every thing. To sum up all, she could knit, spin, weave, and quilt, and was one of those noble girls, of whom the excellent grandmothers of three or four generations back were made. Indeed, she fairly promised yet to be one of them,—at least she had taken the first step;—she had a lover! This lover was a young colonist. He was handsome, brave, and generous, and worthy to love and be beloved by a maiden so fair as Catharine. Henry Wadsworth was warmly opposed to the resignation of the Charter. So was Kate. Whatever he loved she loved; whatever he hated she hated, and vice-versa. Nor was this all for love. It resulted from the happy unity of kindred and congenial spirits. Kate Wyllys and Harry Wadsworth were paired together in Heaven.

The conversation between Andross and Helen had, as doubtless the reader has conjectured, a third party as listener. Wadsworth had been walking with Catharine, and as he was about to leave her

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at her father's, that he might join the Assembly, she, no doubt to linger yet longer on his arm, and look up into his face and talk of love, proposed accompanying him as far as the Governor's, where she would stop with her cousin Helen until his return, when he might call and escort her home. This was an excellent idea, and just harmonized with his own wishes. At the Governor's gate they separated; Henry bending his steps towards the town-house; Kate, anticipating the delightful walk she should have home, with a light heart entering the gate, and bounding up the avenue to the house. She had traversed half the length of the walk, when the forms of Andross and Helen before her caught her eyes. Unable to distinguish her cousin in the gloom, and unwilling to meet them at that hour, she turned aside into a by-path to gain the portico, without passing them. The path conducted her into a broader one which led obliquely to the front of the mansion. She had walked bnt a few steps when she saw Andross and Helen advancing towards her, but too much engaged to notice any thing beyond themselves. The figure and air of her cousin could not be mistaken. "Who could it be with her!" Without waiting for a reply to this self-directed query, she retreated to elude their observation,—but with a half-formed determination of ascertaining who the stranger was, with her own eyes. Without returning by the by-path, which was very circuitous, there was no way of escaping them except by a gate at the foot of the walk, where also was an arbour. To this she directed her steps, and entered the arbour.

"Helen certainly will not venture in this dark place with a man," she said to herself; "so I shall be secure here. For I am determined to see who she can be philandering with at such an hour."

In this concealment, undiscovered she heard sufficient to assure her of the loyal intentions of her cousin, and to ascertain who was her dangerous companion. Hardly had they turned their backs, than she glided from the arbour, softly passed through the gate which led through the rear of the dwelling, and fled towards it at the imminent risk of leaving a stray tress or a portion of her robe on the bushes through which she forced her way. Entering the house by a door in the wing, she flew along the hall to the library. Its door was ajar. She went in and closed it behind her; found the key in the escritoire; unlocked the bureau; discovered the drawer, and with an eager grasp drew forth a narrow wooden case, about two feet long and three inches square, having a curiously jointed cover, like the roof of a house. It was secured by brass hasps and covered with a coarse, dark substance. Hastily opening it, she discovered a roll, of which she instantly took possession. Then taking one from a pile of old parchments which lay on the top of the bureau, she placed it in the case instead of that she had abstracted, fastened the hasps as before, and replaced it in the drawer. Relocking the bu-

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reau, she returned the key to the escritoire, and hastened from the room with the Charter safe beneath her cloak. Before she reached the door by which she had come in, the hall-door opened, and she had barely time to step aside into a recess, when Helen entered, and, with a hurried step, gained the door of the library, paused, hesitated, looked cautiously around and then went in.

With a steady hand she placed the key in the bureau, and removed the case. Finding it too heavy, and from its bulk liable to expose her to detection, she removed the parchment, hid it beneath her mantle, replaced the case and key, and hurried from the library, and from the house.

How opposite the feelings of the two cousins as each in her turn left the library! With what different emotions throbbed their hearts!

"Now have I done His Majesty good service, and been the weak instrument of uniting to the Crown a disloyal people," said Helen, as she closed the door of the library.

"Now, in the hands of Providence," said Catharine with flashing eyes, as Helen appeared, "have I been instrumental in defeating a most high-handed treachery. I will go in and see if she really has taken away what I left. I can scarcely believe Helen could be in earnest." Leaving the recess she re-entered the room and discovered the empty case. Replacing the Charter in it, she concealed the case beneath her cloak, crossed the hall, and went out undiscovered. By a circuitous route, she gained the principal gate, and dark as it was, swiftly pursued her way home with her treasure. On her arrival, she sought her room; placed the parchment in her own private secretary; locked and double-locked it, and then sat down and wrote the following laconic note, which she sent away by a servant:

Dear Henry:

Leave the Assembly this instant, and come to ——. Kate.

V.

"Here is the Charter, Edmund," faintly said Helen, placing the roll in the eager hand of Andross, who, impatient of delay, met her as she came from the house; and sinking upon his shoulder, she whispered, "What have I done? I tremble all over."

"Be reassured, Helen," he said, embracing her. "You have acted nobly. His Majesty shall know your loyalty."

"Your love is all I ask, Edmund."

"And is it not yours, dear girl?" he said, drawing her hastily to his heart. "Now go in, my love. I fear your absence will be marked. I will soon see you again."

"Where do you go?"

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"To the Council. Adieu. I will return ere long."

"Remember my father!"

"I will. Good night."

Helen looked after his receding figure till it disappeared through the gate, and she then retraced her steps slowly and thoughtfully to the house.

On gaining the saddle, Sir Edmund Andross put spurs to his horse, and followed by Cato, rode through the town to rejoin his troop. He had scarcely cleared the straggling suburbs, when he was challenged by a mounted sentinel, posted in the road, who presented his harquebuss and demanded the countersign.

"The Charter."

"Pass to the right," replied the soldier, resuming his position.

A few yards from the highway, he came upon his troop, drawn up in a wood. Trevor rode forward to meet him.

"What success in love and politics?"

"I have the Charter here," he said significantly, at the same time producing the roll.

"Ha! The lady?"

"The lady."

"She has redeemed her sex. I hail you as Governor of Connecticut."

"And these ox-headed Provincials shall know it within twenty minutes. Gentlemen," he added, addressing Randolph and Dudley as they rode up, "I have obtained the Charter of this Colony, through the agency of a loyal partisan. 'Tis here. The Council are in full conclave in their town-hall. I shall take the liberty of intruding upon their deliberations. I desire your attendance."

Here he gave one or two brief orders; the sentinel fell into his place in the ranks; and every man drew his rein tighter, and slightly pressed the flanks of his horse with the rowel of his spur.

"Forward."

Instantly the whole troop were in motion.

"Trot."

The squadron now moved out of the wood, wheeled into the road, and advanced at a fast trot into the town.

"How do you intend to act?" asked Trevor, who cantered by the side of the leader.

"Surround the hall—enter and demand the Charter as if I had it not—and so give them a chance of surrendering it with some show of decency."

"If they do not?"

"I shall show them that I am their Governor. And if they refuse to acknowledge me—"

"Convince them of their error with some four-score indisputable arguments," said Trevor dryly, looking back at the troop. "By-the-by! how was my fair cousin's health?"

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This is a matter to be settled by cool tongues, rather than by sharp steel. In your haste," he added with cutting irony, "you have forgotten to welcome our worthy friends, who stand there, Edward Randolph, and Master Dudley."

Randolph frowned, and struck his sword-hilt. The latter smiled complacently, if not with a very little grain of triumph. Andross stood perfectly unmoved during the momentary excitement the declaration of his name had created. The members of the council who had been most forward, at length sullenly replaced their swords, not in the scabbard indeed, but beneath their arms, ready for use.

"Sir Edmund Andross," said Governor Treat, when the commotion had in some degree subsided, "I demand, by what right you intrude upon this Assembly, with a band of armed soldiers at your back?"

"We are not to be bearded to our very faces," cried a voice in a distant part of the room.

"He shall atone for his insolence," added another in a still sterner tone.

Andross turned from one speaker to the other like a lion at bay.

"Peace, gentlemen!" interposed the mild voice of the Governor, waving his hand with authority. "We wait your answer, Sir."

"I stand here in obedience to His Majesty's commands," he haughtily replied.

"On what intent?"

"We know his intentions well," cried several voices.

"I entreat you, be silent, gentlemen," again interposed the Governor.

"As these puritan statesmen seem to be so well informed on the subject," said Andross sneeringly, "there is no need that I should reply. But lest they misconstrue my silence, I answer, that I am here to demand, in the name and by the the authority of his reigning Majesty James the Second, the surrender of your Charter."

"If we refuse to obey His Majesty?" asked the Governor, in a quiet manner.

"I am prepared to enforce his commands. Will you yield your Charter, gentlemen?" he demanded in a determined tone.

"Voluntarily, *never*," replied Governor Treat, firmly.

NEVER!" rung loudly through the hall.

Sir Edmund Andross waited until there was silence; then casting a glance of triumph around the room, his countenance assumed a significant expression, which at once drew attention and excited curiosity. Deliberately taking the roll of parchment from under his short horseman's cloak, he said, "I had anticipated your refusal, after the answers you have invariably given to His Majesty's writs, of which our mutual friend, Edward Randolph, was the bearer.

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Therefore, to anticipate any abstraction or concealment of your Charter, when my presence in Hartford should be known, I have thought it expedient in compliance with His Majesty's wish that, by all means, I should possess myself of the patent, to secure it before I appeared before you. How I have got possession of it, matters not. It is sufficient that I have it. This mockery of asking its surrender was, graciously, to afford you the opportunity of quietly resigning it, and in some degree thereby, recovering his Majesty's esteem. But my kind consideration for you has been thrown away, like pearls before——but, gentlemen, I need not remind you of the text. Behold your Charter!" he added, holding out the parchment in one hand, and striking it with the gloved forefinger of the other. "In the name of His Majesty, James the Second, and in this presence, I declare the Government under this Charter dissolved."

A dozen swords glittered in the hands of as many gentlemen; the grenadiers threw themselves before their leader, who caught half a score of blades upon his own.

"Hold!" he cried; "your doors are guarded—yourselves are prisoners. One word from me and you will be cut to pieces.

"Base craven!" "Villain!" "Coward!" were the epithets that assailed his ears on all sides.

"Forbear, gentlemen! Let us act mildly," said the Governor. "May it please you, Sir Edmund Andross," he added, looking fixedly at the parchment the Knight held in his hand, "to unroll that instrument, that all may be convinced,—for some doubt,—that you hold our Charter."

"Assuredly," he replied with confidence. Casting an exulting look around, he unrolled the instrument and displayed it before all eyes. The quiet smile that played about the Governor's mouth, and the broader signs of merriment visible on the faces of the rest, induced him to look closely at the parchment, when a glance showed him that he held simply an Indian deed of hunting grounds. His proud and confident manner changed, not to one of mortification and disappointment, but to one of vindictive rage. He gnashed his teeth; crumpled the parchment in his hand; flung it to the earth and ground it with his heel.

"By whatsoever interposition of Providence, your unjust intentions have been foiled," said Governor Treat with a dignity strikingly contrasted with the excitement of the other, "you are properly punished for resorting to stratagem. Those who have deceived you have proved our friends."

"Infernal woman!" muttered Andross through his closed lips. "This is intentional. Ho, Sir Puritan, or Sir Governor! I am not to be thwarted thus. By the Holy Cross! If your patent be not given up within the hour, you shall each be shorter by the head,

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than you now stand. I have arguments without, I think you will listen to."

"Colonel Wyllys," said the Governor to a noble looking gentleman who stood by his chair, "have the goodness to report the nature of these arguments."

"Doubtless, of this complexion," he replied, glancing at the grenadiers. He went out and the next moment returned with a flashing eye.

"By Heaven it is true!" he exclaimed with animation; "I could not believe him, when he said it—and took his words for those of a braggadocio. "Before God, Sir Edmund Andross," he said, fixing his eyes upon his face, as he came up to him, "I would have sworn, and staked my life upon it, had not my own eyes witnessed it, that you could never be guilty of so gross an outrage. Gentlemen, fellow-citizens, a troop of horse and a body of Indians are drawn up before the door."

This confirmation of what they had been led to expect, but which they could scarcely credit, created a new and fiercer excitement throughout the assembly.

"We are but fifteen swords," said Fitz Winthrop, looking round as if to measure the strength of his party, and then advancing upon Andross.

"Were we but one to fifteen," cried a determined voice at the door, "we would try passes with them ere we surrendered our rights as free British subjects to this titled minion of a tyrant!"

All eyes turned towards the speaker, and rested on a handsome young man, enveloped in a cloak, who had entered behind Fitz Winthrop. With a pale cheek; his dark eyes sparkling with excitement; his arms folded beneath his cloak, and with an air of cool decision, such as marks men of bold and determined spirits, he walked haughtily up the hall. As he passed Sir Edmund Andross, that cavalier's fierce glance fastened upon him, but shrunk beneath a gaze full as fierce as his own.

"By the cross! this is very pleasant," he said, as Henry Wadsworth, for he it was, took a seat beside the Governor and whispered a few words in his ear:—"What puritan Hotspur is this, Sirs? S'death! One would take me for a collector of revenues fallen among smugglers."

"Sir Edmund Andross, said the Governor sternly, "we will no longer submit to your insolence. If you will take our Charter by force of arms, we are perhaps too weak to defend it. Gentlemen," he continued in a slightly satirical vein, addressing the assembly, "as the arguments of this knightly soldier have placed this question in a new light, I beg the free expression of your thoughts upon it."

A long and warm discussion followed. During the debate, was

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eloquently represented the vast expense and innumerable hardships suffered by the patentees in settling the colony; the blood shed, and the treasure expended in defending it. At length, though at a late hour of the night, the contest terminated, and it was resolved formally to surrender the Charter. A motion was then made to bring it forth. Governor Treat was about to despatch a messenger to this effect, when Wadsworth opened his cloak, and placed it upon the table. Then turning on his heel, he carelessly walked to a window and threw up the sash as if to inhale the cool night air. He then returned to the table.

"'This, Sir Edmund Andross," said Governor Treat, placing his hand on the case, "contains the instrument granted to us by His Majesty, King Charles the First, and which James the Second commands us to surrender. In obedience to His Majesty's commands, I herewith, formally, and in the presence of these witnesses, surrender it into your trust and keeping."

"His Majesty shall, forthwith, be informed of your prompt compliance with his wishes," said the cavalier with visible irony in the tones of his voice, at the same time drawing forth and unrolling the Charter. "Humph! this is indeed the true instrument. Trevor, this portrait within, the initial, C, is the just similitude of his late Majesty;" and with much complacency he held up to his survey a correct likeness of Charles the First, done in India ink within the compass of the first letter of his name, which commenced the patent.

"The sight of it should lead you to respect his will, conveyed in the instrument which is thus sanctioned," said Colonel Wyllys, who with the rest of the assembly had been gazing on the scene with mingled emotions of shame, anger, and resentment.

"Charles did many foolish things, which the wisdom of his successors must mend," answered Andross carelessly. "Now, Sir Governor, if it be your pleasure, I will change places with you."

Governor Treat rose from the gubernatorial chair, in which he had been placed by the colonists, and resigned it to a governor appointed by the King. The new Governor restored the Charter to the case, carefully fastened it and laid it upon the table. He then advanced to place himself in the usurped chair. At this instant, while his back was turned, Wadsworth cast his cloak over the candles which burned in a branch on the table, and the hall was instantly in darkness.

"Treason! Treachery! Bring lights, villains!" shouted Andross, seconded by Trevor, Randolph, and Dudley.

Guided by a sudden suspicion, he stretched forth his hand to the table. The Charter was gone!

"Guard the door!" he shouted. "Trevor, they have stolen the Charter. On your lives, soldiers, let no one pass out."

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The extinguished candles were speedily relighted; the hall was searched. But the patent had effectually disappeared.

The bold young man, when his cloak, skilfully thrown, fell upon the lights and extinguished them, snatched the case containing the Charter, and darting through an opening in the groups which his eye had previously marked out, he gained the open window and sprang lightly to the ground. With the speed of the deer, he fled along the street, till he came opposite the Governor's residence, when he paused as if with indecision. The next moment he resumed his flight in the direction of Colonel Wyllys' mansion. He continued on the main street a third of a mile, and then turning short to his left, entered a dark lane, thickly bordered with trees. Traversing this with undiminished speed, he reached the gate before the house, and without waiting to open it, bounded over and threaded the gravelled walk towards the dwelling.

"Henry, is it you?" said Kate, meeting him on the piazza, "I have been looking for you. Why, what is the matter?" she inquired, as Henry stood before her panting.

In a few words he related the scenes in the council chamber. "Aid me with your woman's wit," he said, as he concluded the relation.

Catharine placed her forefinger upon her lip; reflected for the space of half a minute, and then turned to him with a glad countenance. "Do you remember the old oak, Henry?"

"'Twas there we plighted,——"

"Hush! this is no time to play the lover. In the oak is a deep cavity. It will remain there for ages without discovery. Go, Henry! be quick! I will remain here to see that none of the servants see you."

From the terrace, the ground sloped to the lane, where it terminated in a low, precipitous bank. Near the verge of this bank, grew an oak, which flung its broad arms half across the lane. Henry soon reached the tree, and hurriedly but carefully passed his hand over its huge trunk, and at length at the very root, found a cavity with an upward direction into the heart of the oak. He thrust a broken limb nearly three feet into it. Then enlarging the orifice by breaking away the decayed wood, he inserted the end of the case into the opening, and forced it a foot beyond the mouth.

"Thank God!" he said devoutly, as he drew forth his arm, "it will rest safely there, until we get an honest king again."

He then carefully replaced the fragments, covered the orifice with a sod, which he cut with his knife some yards from the spot, and neatly swept the grass at the foot of the tree. "Now, if it is discovered," he said, rising to his feet, "it must be the devil himself who gives the information."

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VI.

We pass over the anger and mortification of Sir Edmund Andross, and the quiet exultation of the members of the council, who having fulfilled their obedience to the King's commands by surrendering the Charter, were not held accountable for any of its subsequent gyrations. Notwithstanding this untoward event, Sir Edmund Andross assumed the government of Connecticut, which he annexed to Massachusetts, making Boston the seat of general jurisdiction. He formed a council composed of forty gentlemen; and otherwise appointed officers according to his own pleasure. Fitz Winthrop and Governor Treat were members of this council. At first, he ruled with mildness and moderation; and his addresses were filled with professions for the happiness of the colonists; and for a time he administered justice according to the laws of the government under the Charter. His first open infringement of the liberties of the people, was by restraining the freedom of the press. This was followed by one upon marriage, "which," says the historian, "was far more grievous." He forbade the performance of this rite, unless the parties gave bonds, with sureties to himself, to be forfeited, if it should appear, subsequently, that there existed any lawful impediment to the marriage. Clergymen were forbidden to officiate, and, to the great scandal of the colony, the right of performing the ceremony was given up altogether to civil magistrates, thus taking from the clergy the perquisites with which they were wont to eke out their narrow salaries.

Not satisfied with this persecution, he suspended the laws which provided for their maintenance, and prohibited all persons from paying any thing to their minister. He fortified this bold position by a menace to the people, if they dared to resist his pleasure, threatening to destroy their houses of worship, or "conventicles;" he also forbade any one to pay the sum of two pence to a nonconformist minister, on pain of punishment by fines and stocks.

But the mode in which the English governor managed the affairs of his government are familiar to all readers of history. Under the pretence that the Charter of Connecticut had been vacated, he declared all titles under it of no value, and in a speech in council, said, that Indian deeds were no better than "the scratch of a bear's paw." No pleas, however legally and sacredly based, were of avail with him and his corrupt favorites. Not only Connecticut, but all New England groaned under his oppression. The colonists were not men to submit for a length of time to a system of tyranny like this. Eighteen months after his usurpation of the government of Connecticut, the citizens of Boston, where he held his court, and its vicinity, in alliance with Treat, Fitz Winthrop, and other distinguished Hartfordians, stung with these injuries, rose in arms, took

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the castle by storm, seized the person of Sir Edmund Andross, made prisoners of his council, and reinstated the former colonial governor and council in the government. The landing of the Protestant Prince, William of Orange, at Torbay, and the promises he held out, doubtless encouraged the colonists to take this bold and decisive step.

On the ninth of May, 1689, eighteen months and ten days after the farce of the surrender of their patent, Governor Treat, and the other officers under the Charter, resumed the government of Connecticut. On the twenty-sixth day of the same month, the news that William and Mary were proclaimed King and Queen of England, arrived, and spread universal joy throughout the land.

In 1704, the liberties of Connecticut were again endangered by Lord Cornbury, Governor of New York, and Governor Dudley, of Massachusetts, who combined to despoil it of its Charter, and annex it to their government. They were, however, unsuccessful; and to secure the Colony against any further conspiracies of this nature, their magistrates confirmed to it its Charter in perpetuity, and so the machinations of the enemies of the Colony were effectually defeated. After a concealment of more than fifteen years, the Charter was, therefore, reproduced from its hiding place in the oak, and placed in the archives of the State.

We will now bring our tale to a conclusion. Sir Edmund Andross, believing that Helen had intentionally given him the false parchment, withdrew his suit. Helen, out of womanly revenge, changed her political creed, and became as stout a friend to the Charter, as heretofore she had been an enemy to it.

Harry Wadsworth and Kate Wyllys were ultimately made one flesh; but not until after the usurper was displaced, and Governor Treat again ruled over Connecticut. It was Henry's wish to be married a year earlier than he was, but Catharine stoutly refused.

"I will die an old maid," she said, "before I will be married by one of Andross's slaves. If I am not married by our good old orthodox minister, Mr. Woodbridge, no Justice of the Peace shall make Catharine Wyllys, Catharine Wadsworth." We have good authority in stating here, that Henry Wadsworth was one of the most active among those who deposed the tyrant.

Trevor, soon after the accession of Andross, returned to England, and at the age of thirty-five, fell honorably in the Spanish wars, with the rank of Colonel. He never married.

The other prominent characters of our romance are the property of history. We have already, for a romancer, sufficiently encroached on this, in our, we trust praiseworthy, aim, to which the novelist ought always have an eye, to combine healthy instruction with that entertainment, which all are bound to expect in a work of fiction.

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SONNET.

[THE FALLS OF THE CAUTERSKILL, NEAR THE PINE ORCHARD, CATSKILL MOUNTAINS, NEW YORK.]

Oh wondrous nook of earth! where Nature's hand
  Clusters in one, the high, the wild, the steep,
  Rock, mountain, cataract, and forest deep!
As Nature's worshipper I come, and stand,
And in rapt silence see, and hear, and feel:—
  The glitt'ring stream, the spray with rainbow crowned,
  The dizzy height, the roar, the gulf profound,
Dazzle with splendor and with fear congeal!
Treading such holy ground, within me dies
  Each earth-born thought; my spirit fain would soar,
Beyond the cloud-capt peaks that round me rise,
  To Heaven's eternal throne; and there would pour,
Mid angel choirs, the tribute of her praise
To Him, the Almighty One, whom Nature's self obeys.

B. F. B.

SNOW-FLAKES.

BY THE AUTHOR OF "TWICE-TOLD TALES."

THERE is snow in yonder cold gray sky of the morning!—and through the partially frosted window-panes, I love to watch the gradual beginning of the storm. A few feathery flakes are scattered widely through the air, and hover downward with uncertain flight, now almost alighting on the earth, now whirled again aloft into remote regions of the atmosphere. These are not the big flakes, heavy with moisture, which melt as they touch the ground, and are portentous of a soaking rain. It is to be, in good earnest, a wintry storm. The two or three people visible on the side-walks, have an aspect of endurance, a blue-nosed, frosty fortitude, which is evidently assumed in anticipation of a comfortless and blustering day. By nightfall, or at least before the sun sheds another glimmering smile upon us, the street and our little garden will be heaped with mountain snow-drifts. The soil, already frozen for weeks past,

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is prepared to sustain whatever burthen may be laid upon it; and, to a northern eye, the landscape will lose its melancholy bleakness and acquire a beauty of its own, when mother earth, like her children, shall have put on the fleecy garb of her winter's wear. The cloud-spirits are slowly weaving her white mantle. As yet, indeed, there is barely a rime like hoar frost over the brown surface of the street; the withered green of the grass-plat is still discernible; and the slated roofs of the houses do but begin to look gray, instead of black. All the snow that has yet fallen within the circumference of my view, were it heaped up together, would hardly equal the hillock of a grave. Thus gradually, by silent and stealthy influences, are great changes wrought. These little snow-particles, which the storm-spirit flings by handfulls through the air, will bury the great earth under their accumulated mass, nor permit her to behold her sister sky again for dreary months. We, likewise, shall lose sight of our mother's familiar visage, and must content ourselves with looking heavenward the oftener.

Now, leaving the storm to do his appointed office, let us sit down, pen in hand, by our fireside. Gloomy as it may seem, there is an influence productive of cheerfulness and favorable to imaginative thought, in the atmosphere of a snowy day. The native of a southern clime may woo the muse beneath the heavy shade of summer foliage, reclining on banks of turf, while the sound of singing birds and warbling rivulets chimes in with the music of his soul. In our brief summer, I do not think, but only exist in the vague enjoyment of a dream. My hour of inspiration—if that hour ever comes—is when the green log hisses upon the hearth, and the bright flame, brighter for the gloom of the chamber, rustles high up the chimney, and the coals drop tinkling down among the growing heaps of ashes. When the casement rattles in the gust, and the snow-flakes or the sleety rain-drops pelt hard against the window-panes, then I spread out my sheet of paper, with the certainty that thoughts and fancies will gleam forth upon it, like stars at twilight, or like violets in May—perhaps to fade as soon. However transitory their glow, they at least shine amid the darksome shadow which the clouds of the outward sky fling through the room. Blessed, therefore, and reverently welcomed by me, her true-born son, be New-England's winter, which makes us, one and all, the nurslings of the storm, and sings a familiar lullaby even in the wildest shriek of the December blast. Now look we forth again, and see how much of of his task the storm-spirit has done.

Slow and sure! He has the day, perchance the week, before him, and may take his own time to accomplish Nature's burial in snow. A smooth mantle is scarcely yet thrown over the withered grass-plat, and the dry stalks of annuals still thrust themselves through the white surface in all parts of the garden. The leafless

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rose bushes stand shivering in a shallow snow drift, looking poor things! as disconsolate as if they possessed a human consciousness of the dreary scene. This is a sad time for the shrubs that do not perish with the summer; they neither live nor die; what they retain of life seems but the chilling sense of death. Very sad are the flower-shrubs in mid-winter! The roofs of the houses are now all white, save where the eddying wind has kept them bare at the bleak corners. To discern the real intensity of the storm, we must fix upon some distant object,—as yonder spire,—and observe how the riotous gust fights with the descending snow throughout the intervening space. Sometimes the entire prospect is obscured; then, again, we have a distinct, but transient glimpse of the tall steeple, like a giant's ghost; and now the dense wreaths sweep between, as if demons were flinging snow-drifts at each other, in mid-air. Look next into the street, where we have an amusing parallel to the combat of those fancied demons in the upper regions. It is a snow-battle of school-boys. What a pretty satire on war and military glory might be written, in the form of a child's story, by describing the snow-ball fights of two rival schools, the alternate defeats and victories of each, and the final triumph of one party, or perhaps of neither! What pitched battles, worthy to be chanted in Homeric strains! What storming of fortresses, built all of massive snow-blocks! What feats of individual prowess, and embodied onsets of martial enthusiasm! And when some well contested and decisive victory had put a period to the war, both armies should unite to build a lofty monument of snow upon the battle-field, and crown it with the victor's statue, hewn of the same frozen marble. In a few days or weeks thereafter, the passer-by would observe a shapeless mound upon the level common; and, unmindful of the famous victory, would ask—'How came it there? Who reared it? And what means it?' The shattered pedestal of many a battle-monument has provoked these questions, when none could answer.

Turn we again to the fireside, and sit musing there, lending our ears to the wind, till perhaps it shall seem like an articulate voice, and dictate wild and airy matter for the pen. Would it might inspire me to sketch out the personification of a New England winter! And that idea, if I can seize the snow-wreathed figures that flit before my fancy, shall be the theme of the next page. How does winter herald his approach? By the shrieking blast of latter autumn, which is Nature's cry of lamentation, as the destroyer rushes among the shivering groves where she has lingered, and scattered the sear leaves upon the tempest. When that cry is heard the people wrap themselves in cloaks, and shake their heads disconsolately, saying—'Winter is at hand!' Then the axe of the wood-cutter echoes sharp and diligently in the forest,—then the coal-merchants rejoice, because each shriek of Nature in her agony

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adds something to the price of coal per ton—then the peat-smoke spreads its aromatic fragrance through the atmosphere. A few days more; and at eventide, the children look out of the window, and dimly perceive the flaunting of a snowy mantle in the air. It is stern winter's vesture. They crowd around the hearth, and cling to their mother's gown, or press between their father's knees, affrighted by the hollow roaring voice, that bellows adown the wide flue of the chimney. It is the voice of winter; and when parents and children hear it, they shudder and exclaim—'Winter is come! Cold winter has begun his reign already!' Now, throughout New-England, each hearth becomes an altar, sending up the smoke of a continued sacrifice to the immitigable deity who tyrannizes over forest, country-side, and town. Wrapt in his white mantle, his staff a huge icicle, his beard and hair a wind-tossed snow-drift, he travels over the land, in the midst of the northern blast; and wo to the homeless wanderer whom he finds upon his path! There he lies stark and stiff, a human shape of ice, on the spot where winter overtook him. On strides the tyrant over the rushing rivers and broad lakes, which turn to rock beneath his footsteps. His dreary empire is established; all around stretches the desolation of the Pole. Yet not ungrateful be his New-England children—(for winter is our sire, though a stern and rough one)—not ungrateful even for the severities, which have nourished our unyielding strength of character. And let us thank him, too, for the sleigh-rides, cheered by the music of merry bells—for the crackling and rustling hearth, when the ruddy fire-light gleams on hardy manhood and the blooming cheek of woman—for all the home-enjoyments, and the kindred virtues, which flourish in a frozen soil. Not that we grieve, when, after some seven months of storm and bitter frost, spring, in the guise of a flower-crowned virgin, is seen driving away the hoary despot, pelting him with violets by the handful, and strewing green grass on the path behind him. Often, ere he will give up his empire, old winter rushes fiercely back, and hurls a snow drift at the shrinking form of spring; yet, step, by step, he is compelled to retreat northward, and spends the summer month within the Arctic circle.

Such fantasies, intermixed among graver toils of mind, have made the winter's day pass pleasantly. Meanwhile, the storm has raged without abatement, and now, as the brief afternoon declines, is tossing denser volumes to and fro about the atmosphere. On the window-sill, there is a layer of snow, reaching half way up the lowest pane of glass. The garden is one unbroken bed. Along the street are two or three spots of uncovered earth, where the gust has whirled away the snow, heaping it elsewhere to the fence-tops, or piling huge banks against the doors of houses. A solitary passenger is seen, now striding mid-leg deep across a drift, now scudding over the bare ground, while his cloak is swollen with the wind—

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and now the gingling of bells—a sluggish sound, responsive to the horse's toilsome progress through the unbroken drifts, announces the passage of a sleigh, with a boy clinging behind, and ducking his head to escape detection by the driver. Next comes a sledge, laden with wood for some unthrifty housekeeper, whom winter has surprised at a cold hearth. But what dismal equipage now struggles along the uneven street. A sable hearse, bestrewn with snow, is bearing a dead man through the storm to his frozen bed. Oh, how dreary is a burial in winter, when the bosom of mother earth has no warmth for her poor child!

Evening—the early eve of December—begins to spread its deepening veil over the comfortless scene; the fire-light gradually brightens, and throws my flickering shadow against the walls and ceiling of the chamber; but still the storm rages and rattles against the windows. Alas! I shiver, and think it time to be disconsolate. But, taking a farewell glance at dead nature in her shroud, I perceive a flock of snow-birds, skimming lightsomely through the tempest, and flitting from drift to drift, as sportively as swallows in the delightful prime of summer. Whence come they? Where do they build their nests, and seek their food? Why, having airy wings, do they not follow summer around the earth, instead of making themselves the playmates of the storm, and fluttering on the dreary verge of the winter's eve? I know not whence they come, nor why; yet my spirit has been cheered by that wandering flock of snow-birds.

THE NUN.

She was kneeling—
That fair and fragile form—before a shrine
Where sterner spirits might adore,—for softly
Beamed from that canvass on her upturned gaze
The Virgin Mother's heavenly smile, in all
Its holy radiance of innocence,—
Type of the yearning heart's unfound Ideal
Of Woman deified!

Across her brow
The fillet's snowy circlet pressed the locks
That once so richly clustered there; behind
Hung in dark length that fearful prison Veil,
And round her drooped a solemn drapery,
Sable and sad; while on her bosom rested,
In silver sheen, the Cross,—meet emblems of
Her lonely life of purity and prayer,
And sacrifice of her whole human heart
Unto its God.

She was a fair young girl,
With a deep thoughtful spirit from her childhood,
That never seemed to find its natural sphere
'Mid the bright sports and joys of that sweet age,

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But ever loved to feed, in solitude,
And rapt and silent musing, far away
From present sight and sound, its own untold
And all unconscious cravings, after what
It found not elsewhere than within it,—watching
The visions dim, but oh, how beautiful,
Uprising from the depths of her own heart,
And floating on its trembling tides of thought,
Like the bright goddess of Cythera's wave,—
Or listening to the solemn harmonies
Waked o'er the delicate strings of that sweet lyre,
Her own young sinless spirit, by each breath
Of wandering fancies, like the zephyr's lute,
So faint and wild. Thus passed her childhood's years,
Among us, but scarce with us,—like a dove,
With prisoned wing, that ever sends its eye
Sadly towards its brighter native clime
Through the far clouds, and longs to flee away.
She was beloved by all; and loved in turn,
But with a gentle calmness—deep, though mild,
And fond, though passionless,—even as an angel,
Walking midst human life and human love,
Might smile in kindly tenderness, the while
His soul was sighing for its own empyrean.
She sought the Veil—and who could chide?—we felt
She was not for our world, nor it for her.
We could not bid that pure and gentle spirit
Dwell midst its whirl of griefs and sins and passions.
And so that saddest of farewells was said,
And in the glory of her loveliness,
And the deep holy ardor that was burning
'Midst that dark light, soul-kindled, from her eyes,
She offered up herself a sacrifice
Of life and love and purity, to Heaven.

Perchance 'twas but a beautiful delusion,
That prisoned life of prayer and solitude—
But as she knelt, so innocent and fair—
Her thin hands clasped—her look upturned—a tinge,
Alas, of hectic brightness, on her cheek—
Her delicate features so attenuate,
And marble pale, from her sad way of life—
But a deep rapture, passing understanding,
Glowing within her soul, and radiant
O'er all the sculptured beauty of her face—
The rapture of the love of heavenly things
And heavenly thought, which now absorbed and filled
All that young heart's unfathomed depths of love—
Methought she almost seemed some fleshless spirit,
Wandered away from her far seraph choir,
And doomed to dwell awhile in our dark sphere,—
Shrinking aside from its rude strife of passions
Within the shrine of its own purity,
To live there on its memories and hopes,—
Till the frail bond that fettered it should melt
Before that burning glow of love and thought,
That wasted while it glorified its clay!

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RETROSPECTIVE VIEW OF THE SOUTH-AMERICAN STATES.

(*Continued from page 276.*)

In the former part of this article, general views were presented of the system by which the Spanish dominions in America were governed—of their condition during the latter years of the subsistence of that system—and of the circumstances which immediately led the inhabitants of those countries to oppose the authority of Spain; together with sketches of the events which marked the commencement of the struggle in the several sections. The occurrences last mentioned took place during the year 1810 and 1811, and were the consequences of the dissolution of the central Junta in Spain, the establishment of the Regency at Cadiz, and the summoning of the Cortes.

When the accounts of the overthrow of the Spanish authorities at Caraccas (on the 19th of April, 1810) arrived at Cadiz, the Regency being at first inclined to use conciliatory measures, issued a decree by which the commercial privileges of the American dominions were materially enlarged. Had this decree been carried into execution, possibly the disturbances might have been, at least for a time, quieted; the merchants of Cadiz, however, who were all interested in the continuance of the restrictive system of trade, by means of which they enjoyed advantages as profitable to themselves as onerous to the Americans, vehemently opposed these concessions, and their influence was sufficient to occasion the recall of the decree. In place of conciliatory measures, it was then resolved that force should be used to subdue the Americans; accordingly a large body of troops was sent to Porto Rico, as the most convenient point for the commencement of operations against Caraccas, and a commissioner, named Cortavarria, was empowered to employ any means which he might consider proper, to effect the *pacification*, as it was termed, of the revolted provinces.

In the meantime, the elections of Deputies to the General Cortes were conducted, so far as was practicable, considering that large portions of the kingdom were occupied by the French; and at the end of the summer a hundred and twenty-seven persons appeared at Cadiz as representatives from various provinces of Spain. In many parts of the kingdom no elections had been held, and no deputies presented themselves from America; as this, however, had been foreseen, the vacancies were filled by substitutes, chosen principally from among the natives of the unrepresented provinces, twenty-six being allotted to the Indian dominions, and twenty-three to Spain.

These preliminary matters having been arranged, the Cortes held their first meeting on the 24th of September, 1810. They began their labours by a solemn declaration that the sovereignty of the Spanish dominions resided wholly in the Nation, the representatives of which, in consequence possessed the power of determining upon the institutions most proper for their government. In the exercise of the constituent power thus assumed, and notwithstanding the efforts of the British Cabinet to the contrary, the Cortes forthwith issued a number of Decrees by which the system of the Government in both hemispheres was materially altered. The Inquisition was abolished, and the privileges of the clergy were curtailed; nearly all the previously existing restrictions upon the press were removed; the Indians were relieved from many of their peculiar grievances, and subsequently all free inhabitants of the dominions were declared to be entitled to the same political rights; the elective franchise was extended, and the number of representatives to be sent by the countries beyond sea was increased. Some of the harsher measures of the Regency, with regard to the revolted provinces, were countermanded, and the Viceroys Captains-General, and other governors were instructed to act with justice towards the people who should remain firm in their allegiance, and with lenity towards the insurgents.

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These concessions, however, came too late to produce the desired effects. Ere they were known in America, and indeed ere many of them were made, nearly all the provinces except those in Peru and Guatemala were in a state of insurrection; the general irritation had been likewise increased by the arrival of the *pacificating* forces, and the knowledge of the severe orders sent by the Regency. Caraccas and La Plata were almost wholly in the possession of the insurgents; the ports of those countries were thrown open to foreign trade; their Juntas had entered into communications with the commanders of the British naval stations in the vicinity of their coasts, and had even sent commissioners to London (among whom was Simon Bolivar, from Caraccas) empowered to negotiate for the recognition of their independence. Under these favorable circumstances, the revolutionists were little inclined to retract; as they had refused to recognize the authority of the Supreme Junta or of the Regency, so they denied the right of the Cortes, in which America was not represented, to legislate for its inhabitants: and they rejected the proposed ameliorations as insufficient or illusory, treating them rather as the offsprings of weakness and dissimulation than as the results and evidences of more liberal dispositions on the part of the Spaniards. Proceeding farther in this line of opinion, it soon became an established principle among the Americans, that whatever might be done in Spain or by Spaniards without the assent of the Monarch, might be done under similar circumstances in America and by Americans. In virtue of this bread assumption, and in imitation of the Supreme Junta of Seville, the provisional authorities of the several sections from which the Spanish rulers had been expelled, proceeded to summon legislative or constituent assemblies. To these bodies the name of *Congress* was uniformly given in place of that of *Cortes;* in fact the institutions of the United States had become the theme of universal praise, and their application to the newly freed countries was generally desired.

The commissioners from Caraccas and La Plata were received by the people of England with every demonstration of good will and sympathy; the ministry, however, as might have been anticipated, gave no encouragement to their projects for a separation from Spain, and only consented to offer to the Cortes its mediation, in order to procure a compromise between the parties. The commissioners having agreed to this proposition, the offer was formally made to the Cortes. The Deputies for America, who appear to have discharged their assumed duties with fidelity, were urgent for its acceptance, and to that effect, on the 1st of August, 1811, they addressed to the assembly an eloquent representation. The merchants and principal inhabitants of Cadiz, however, again appeared as the advocates of violent measures, to reduce the revolutionists to submission; they offered to advance funds for the prosecution of the war against the insurgent provinces, and even threatened, in case the proposed mediation were accepted, to expel the Cortes from their gates. The discussion was long; it ended, however, in the refusal of the mediation of Great Britain, and the determination on the part of the Spanish Government, to use the most energetic means for the subjection of the rebels; accordingly, as the successes of the combined forces of Spain, Great Britain, and Portugal, against the French, rendered troops disposable, they were dispatched to America. The British Government, upon this, publicly declared its intention to remain neutral in the contest, so long as the insurgents should not take part with the French; and the commissioners of Caraccas and La Plata returned to their countries to warn their fellow citizens of the coming storm.

Before the results of these measures could be estimated in Spain, the Cortes had completed what was considered by them as the grand object of their meeting, namely the Constitution by which the Government of the Spanish dominions was to be in future regulated. It was solemnly promulgated at Cadiz on the 19th of March, 1812, signed by one hundred and eighty-two persons, of whom fifty represented or were supposed to represent, the several divisions of the former Indian empire, the others being delegates from Spain. Of this much lauded much vituperated scheme of Government, our limits do not allow us either to present a minute analysis, or to

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discuss the character. The study of it is necessary for those who wish to form competent ideas of the actual forms of government of the South American Republics, in all of which its features are to be found more or less modified. We cannot, however, avoid citing some of its principal provisions, and those specially affecting the American dominions.

By the Constitution of 1812, the Spanish nation was declared to consist of all Spaniards in either hemisphere. Spaniards were all free men, born and residing in the Spanish dominions, and others to whom the same privileges might be granted. Spanish citizens, who alone could vote, or be elected, or be appointed to civil trusts and offices, were all Spaniards except those who were, by either parent, of African descent; the latter might, however, be admitted to those privileges under certain circumstances. The government was to be an hereditary monarchy, Ferdinand VII. being recognised as the King; the powers of the State, however, were divided into three branches—the Legislative, the Executive, and the Judicial—the attributes of each of which were distinctly defined. The *Legislative* power was to be exercised by a single body of Deputies, chosen indirectly for two years, by the citizens, the King possessing only a limited right of veto upon its enactments; the *Executive* duties were committed to the King, who was aided by a Council of State, and acted through nine responsible ministers; to the *Audiencias or Courts* alone belonged the application of the laws in civil and criminal cases. The territories of the empire were to be divided into Provinces, all of which were to be governed in the same manner by a Chief, whom the King would appoint, and a Provincial Deputation composed of members chosen biennially by the citizens; the basis of the national representation was to be the same in every part of the dominions, the number of Deputies sent by each Province being proportioned to the number of Spanish citizens inhabiting it. The Council of the Indies, which had disappeared in the course of the great political tempest, was replaced by a *Minister of the Kingdom beyond Sea;* the press was freed from all restrictions, and from all responsibility, except such as might be imposed on it by the laws. In fine, throughout the whole Spanish empire, the same forms of administration were established, and the same civil rights were recognized, no privilege or disability being founded on birth-place or descent, except with regard to persons of African origin. The General Government was empowered to delay the extension of the privileges in those parts of the dominions, to which it should not be considered judicious to apply them immediately.

The Constitution was made known in some parts of America before, and in others after, the arrival of the forces sent from Spain to reduce them to submission. Neither the arrow nor the olive branch proved effectual for that purpose; resistance was opposed to the former wherever it was practicable; the latter was generally rejected with scorn, and when accepted was only used as a means of offence against those who offered it. Long experience of the falsehood and injustice of the Spanish Government had rendered the Americans suspicious with regard to its concessions; no confidence was placed in the sincerity of the Cortes, in holding out these liberal terms, or in the power of that body to maintain the new institutions. *Timeo Danaos et dona ferentes*—was felt if not expressed by every thinking individual.

Constitutions had likewise been already formed, and sworn to in America, the observance of which was incompatible with allegiance to the Spanish Government In Caraccas the Congress met agreeably to the call of the Junta, in June, 1811; on the 4th of July of the same year, it published a declaration of the independence of that section, for which was adopted the name of *the Confederated States of Venezuela;* and on the 23d of December following a republican constitution, formed nearly on the model of that of the United States, was promulgated. General Miranda, who had arrived from England, was appointed chief of the forces, and Bolivar, acting under him, was entrusted with the important command of the fortress of Porto Cabello. The Spanish troops were shut up at Coro, and one or two other places near the coast; quiet was restored, and all things wore a favorable aspect in the new State. Suddenly, however, came a terrible reverse: on the 26th of March, 1812,

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the whole country was involved in ruin, political as well as physical, by an earthquake, the most violent of which we have any recorded accounts. The cities in which resided the wealthiest, most intelligent, and influential persons, were, many of them, entirely destroyed, and their inhabitants killed or wounded by the dreadful concussion. In Caraccas and its vicinity upwards of twenty thousand persons perished. The awe-struck survivors neglected their usual labours, and the priests, most of whom were devoted to the cause of Spain, succeeded in persuading them, that these miseries had been inflicted by heaven, as special chastisements for their impious rebellion. The Spaniards did not fail to take advantage of these circumstances; their chief commander, Monteverde, who, from a midshipman, had been made a general, by treachery, obtained possession of Porto Cabello, and having received reinforcements from Porto Rico, soon silenced all opposition. Miranda seeing that resistance was hopeless, signed a capitulation at Vittoria, on the 26th of July, by which it was agreed that Caraccas should acknowledge the Spanish Constitution, and send Deputies to the Cortes, that those who preferred it might leave the country within a certain period, and that the liberty and property of those who remained should be respected.

This capitulation was made in opposition to the remonstrances and representations of Bolivar, and of many other chief persons, who were convinced that it would not be fulfilled by the Spaniards. Their anticipations proved to have been well founded; for Monteverde, as soon as he had obtained possession of Caraccas, commenced a system of murder, persecution and robbery against the wretched inhabitants, who had taken part in the rebellion. Miranda attempted to escape from Laguaira; but Bolivar and his friends determining that he should not be alone freed from the evils which, as they conceived, he had thus brought upon their country, delivered him up to Monteverde, by whom he was sent to Spain, where he remained in a dungeon until his death in 1817. Bolivar and his friends made their way to Carthagena.

The Spanish Cortes approved the violations of the treaty of Vittoria, declaring, by solemn act, *that faith was not to be kept with rebels.* After the establishment of this horrid principle of action, the contest between the Spaniards and the Americans was conducted by both parties to its termination, with that tiger-like ferocity, which has, in all ages and countries, characterized the Spanish race. It is, however, due to the chiefs of the insurgents to acknowledge that they appear in general to have acted with much more humanity than their enemies, that the bloody deeds committed by them were, in most cases, retaliatory, and that frequent attempts were made by them to induce the Spanish commanders to adopt a milder system of warfare.

In New Granada nearly all the provinces had refused to recognise the existing Spanish Government, and had determined to adopt the republican system; they differed, however, upon the question, whether their Republic should be a confederacy of several States, or should have all its powers committed to one central government. The provinces nearest Bogota preferred the latter form, while those more distant, were in favor of the Federal system. The difference of views upon this subject prevented unity of action, not only in New Granada, but likewise in every other part of Spanish America; it enabled the Europeans to maintain their ground much longer than they otherwise could have done, and it has ever since been the most fruitful cause of civil discord in those countries. The difference being great, was not to be easily compromised, and two independent governments were established, one at Carthagena and the other at Bogota, upon bases which it is needless to explain or qualify.

At Bogota, General Narino ruled absolutely under the title of President; in Carthagena the constitutional chief Torrices, seems to have acted with more regard for the wishes and advantage of the people. In each state however, the laws were of little avail, as the whole country was ever disturbed by civil and military contests.

At Carthagena, Bolivar succeeded in organising a small force, with which he again raised the standard of opposition to Spain in Venezuela; his attempts however only

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served to agitate the people, while on the other hand, they provoked the cruelties of the Royalists, which were daily exercised towards all suspected of favoring the cause of the insurgents. Among the wretches who at this time proved themselves by their ferocity as well as their boldness and activity, to be worthy successors of the Spaniards of the 16th century, the most distinguished were Morales, and the monster Boves; the followers of the latter being almost all liberated negro slaves, needed no stimulus to excite them to bloody deeds.

The Junta of Quito assumed the name and powers of a constituent Congress about the end of 1811; and having declared the independence of that vast and rich region, also composed and solemnly issued a Constitution for the regulation of its Government. This constitution was speedily overthrown by General Torres, who arrived from Spain in 1813, with the title of President and Captain General of Quito, and with a small force of veteran troops to sustain him. The only resistance which for a moment promised to be effectual on the part of the Independents, was made under the command of Alexander Macaulay, a native of York in Virginia. This gallant youth, when not twenty years old, went to Carthagena, and thence to Bogota, in order to aid the patriots; having been mistaken for a spy and badly treated at the latter place, he next offered his services to the Government of Popayan, by which they were accepted, and he was intrusted with the command of a small force destined to act against the Spaniards in Pasto.

In their first action, the Patriots under Macaulay were successful; through treachery however, they were surrounded by the Royalists, and Macaulay having been made prisoner, was shot by order of Torres, at Pasto, in January 1814. An attempt was afterwards made in 1817, by Narino, the President of New Granada, to expel the Spaniards from Quito, which proved vain; Narino was taken prisoner and conveyed to Cadiz, where he languished in a dungeon, until his delivery by the constitutionalists in 1820.

The Supreme Congress of Chili was installed at Santiago, on the 14th of July, 1811, and not venturing to commit itself too far, professed to act in the name of Ferdinand VII. Considerable dissensions prevailed in this body from the moment of its meeting, as well as among the people and the troops; at length on the 20th of December, the Congress as well as the Executive, which it had appointed in the preceding month, were dissolved by force of arms, and the country then fell a prey to demagogues and brigands.

The Viceroy of Peru, taking advantage of these circumstances, sent an expedition to Chili under the command of General Gainsa. Its approach brought the people to their senses they prepared for resistance, and the brothers Carrera the principal leaders of the anarchists having been put down, the supreme command of the forces was conferred upon Don Bernardo O'Higgins, a native of Lima, and son of an Irishman,—formerly Viceroy of Peru. Under his direction the Spaniards were reduced to ask a capitulation; before it could be completed however, they were reinforced by General Osorio, who completely reconquered the country, and drove the Patriots with their commander-in-chief, to take refuge in the fastnesses of the Andes.

In La Plata the Independent party were daily becoming more firmly established; the troops of the Viceroy of Peru, as well as the Spanish forces on the Atlantic coasts, under the New Viceroy, Vigodet, were defeated and driven from several positions; the latter, however, still held the strong and important town of Montevideo, on the *Banda Oriental*, or eastern side of the river of La Plata, and were thus able to control the greater part of the country in that direction. On the other hand internal differences had arisen among the Independents; the chiefs, the military, the political leaders, and the people themselves, were every where divided; several provinces refused to acknowledge a central government; no general Congress could be convened, and no constitution or other act of union could be formed. Provincial governments succeeded each other with rapidity; conspiracies and revolutions occurred daily, and, in fine, all was anarchy and confusion. The Spanish Constitution hav-

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ing been made known at Buenos Ayres about the middle of 1812, the British Minister at Rio de Janeiro, endeavored to bring about a compromise between the Independent Government and the Viceroy, upon the condition that the former should accept the new system and send delegates to the Cortes. His mediation, however, was rejected by both parties, as the insurgents placed no confidence in the Cortes, and the Viceroy, who fancied that he had at that moment an advantage over the revolutionists, was anxious to obtain the glory of subduing them. The expectations of Vigodet however, proved vain; his squadron was taken by that of Buenos Ayres, under Commodore Brown, an Englishman, and on the 20th of June, 1814, his stronghold, Montevideo, with its garrison, consisting of six thousand Spaniards, was surrendered to the Americans, commanded by Don Carlos Alvear. This important place however, was not retained long by its captors; for on the 27th of July, 1817, it was attacked and taken by the Portuguese from Brazil, who held it, and nearly the whole country on the eastern side of the river of Plata, until 1828.

In Mexico the Viceroy, Venegas, proclaimed the Constitution at the capitol on the the 30th of October, 1812, and took measures for carrying it into operation in the provinces not occupied by the insurgents. His civil powers were thus much abridged, but he still retained the direction of the military, which in a country ravaged as Mexico then was, by civil war, is necessarily paramount over all other authorities. The liberty of the press subsisted just three months, after which the Viceroy suspended it, in consequence of the infinite number of violent and inflammatory publications, issuing from it in that short space of time. In the elections of nearly a thousand officers chosen by the people, under the new system, only four or five Spaniards, or Americans known to be attached to the Spanish cause, received a majority of votes. The decisions of the Audiencia were set at naught by the Provincial Boards of Administration, and, in fine, the constitution was made to contribute most powerfully to the spread of the principles, which it was intended to counteract.

The insurgents, without exception, rejected the Spanish Constitution, Morelos testifying his opposition to its establishment by sacking the town of Orizaba, on the very day of its solemn proclamation there. The Junta convened at Ziticuaro, on 11th of September, 1811, was soon dislodged by the indefatigable Calleja, and continued for many months rambling from place to place under the protection of some one or other of the insurgent chieftains; at length its numbers having been increased by the addition of Deputies from several Provinces, it assumed the title of a General Congress, and as such issued a declaration of independence on the 13th of November, 1813, at Chilpanzingo, in the province of Mexico.

Calleja in the following year succeeded Venegas as Viceroy, and being ably seconded by Iturbide, to whom the native troops were devoted, he daily checked the insurgents, and confined them in narrower limits by the establishment of military forts at various military points.

In the northern provinces of the kingdom, several attempts were made by persons coming from the United States, either to co-operate with the insurgents, or to establish a new Republic. During the year 1812 and 1813. several bloody battles were fought between the invaders and the Royal forces in the province of Texas; the latter were ultimately successful, but the islands in the vicinity of the coasts, became places of refuge and rendezvous for pirates, professing to act against Spain under commissions from various independent Governments in America.

In the early part of 1814, occurrences took place in Europe which gave strength to the Spanish cause in America, and contributed to defer the termination of the struggle in the latter countries. Napoleon was forced to abdicate at Fontainebleau, and retired to Elba; while the long desired Ferdinand quitted his prison at Valengay, and returned to rule his overjoyed subjects. While the Liberals were anxiously awaiting the day on which the restored monarch was expected to take the oath required by the Constitution, he issued a royal decree at Valencia, on the 4th of May

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completely setting aside the whole representative system, and reassuming his power as an absolute and unrestrained autocrat. The people of Spain, in general, received the annunciation with joy; scarcely a hand or a voice was raised in support of the prostrate institutions; and all who had avowed liberal opinions, became the subjects of the most horrible persecutions; some being executed, others imprisoned, and others sent as wanderers from their country to live on the charity of foreigners. Soldiers in abundance could now be sent to America, and the other despots of Europe, in return for the benefits conferred on the general cause of absolutism, were ready to furnish subsidies for defraying the expenses of such expeditions.

Preparations were accordingly made for despatching troops to several points of South America; in consequence, however, of the surrender of Montevideo, it was determined that they should be concentrated into one body, and directed first against the northern part of that continent, from which detachments might afterwards be sent from other quarters. In prosecution of this plan, not less than eleven thousand men, well equipped, were embarked at Cadiz, in January, 1815, under the command of Don Pablo Morillo, who had distinguished himself in the late wars, and was now vested with full powers to *pacificate* Venezuela and New Granada. The former country being found entirely in the possession of the Royalists, under Morales, the island of Magarita in its vicinity, which was occupied by the Independents, was first conquered, and then the armament was directed against Carthagena, the strongest place at that time on the American continent, and the key to New Grenada. That city was invested by Morillo in August, 1815, and being badly provided either with provisions or munitions of war, its inhabitants, for six months, suffered all the miseries of siege, famine, and disease. The garrison at last finding resistance vain, and not choosing to trust to the terms offered by the Spaniards, evacuated the place by sea on the 18th of December, and succeded in reaching les Cayes in Saint Domingo; the besiegers then entered the city, and wreaked their vengence on the miserable inhabitants. After this success, which gained for Morillo the title of Count of Carthagena, no resistance was made to the invaders, who occupied the whole of New Grenada, in the course of the year 1816, and established communications with Quito and Peru in the South.

La Plata was now the only part of South America not wholly in possession of the Spaniards. The directors of affairs in that section, although engaged in constant disputes among themselves, yet clearly foresaw that its liberties would not subsist much longer, unless they should make efforts to free the adjoining countries from the presence of the Spaniards. They had succeeded in keeping at bay the royal forces on the frontiers of Peru, though they had suffered several severe defeats in that quarter, while the Spaniards were commanded by General Pezuela; but that active officer having been, in 1815, raised to the Viceroyalty of Peru, they were more fortunate against his successors, Ramirez and La Sexna. At length, having raised a small army, they sent it over the Andes into Chili, under the command of Jose de San Martin, an intelligent and enterprising, though unscrupulous leader, who, being joined by patriots of the country under O'Higgins, the combined forces were soon strong enough to make head against the Spaniards in that kingdom. In the first general action at Chacabuco, on the 12th of February, 1817, the royalists were defeated, and the President, Marco was taken prisoner. On the 5th of April of the following year the Spanish forces were entirely overthrown by the Patriots, on the plains of Maipu, near Santiago, by which decisive action, Chili was rendered independant, and placed in a condition to assume the offensive against Peru. A provisional government was organized; O'Higgins was made Supreme Director of the State, and San Martin, having freed himself from his enemies the Carreras, by executing them both, became the commander-in-chief of the forces. At this time, also, the Patriots of Chili received an important accession to their strength by the entry of Lord Cochrane into their service; this distinguished naval officer having been obliged to fly from his own country, in order to escape the punishment decreed by its laws for his attempt to swindle the nation at large, now appeared in the Pacific as the

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champion of American liberties. By his exertions a small squadron was raised and manned, in command of which he took several Spanish vessels of war, and gained other advantages for the Independants, during the years 1819 and 1820. On the first of November, 1820, Cochrane indeed gave the Spaniards in Peru a specimen of his skill and daring, in an exploit of almost unequalled gallantry; having on the night of that day, boarded, taken, and carried out of the harbour of Callao, (the port of Lima,) and from and under the guns of the fortress, a Spanish frigate called the Esmeraldo, with all her armament and stores.

In the meantime the patriots from New Grenada, who had taken refuge in Saint Domingo, having obtained some arms and assistance from England and the United States, made another effort for the liberation of their country. They landed under the command of Bolivar, at Margarita, in December, 1816, and succeeded in establishing themselves on that island. At the news of their approach, the people of Venezuela and New Granada recovered their energies, and although the principal cities were too strongly garrisoned by the Spaniards to admit of demonstration of opinion on the part of their inhabitants; the country was speedily filled with Guerillas, or small bodies of armed men, who attacked the royal forces in detail, and pillaged and harrassed their adherents. In the course of the following year assistance in money, arms, and even in men, was received by the patriots from Europe, and the Spaniards, confined within narrow limits, were daily decreasing in numbers, from the skirmishes in which they were constantly engaged. No decisive action however, took place between the parties until the 7th of August, 1819, when the Spaniards were defeated with great loss by Bolivar at Boyaca, near Bogota, which capital was, on the 9th, entered by the patriots.

In Mexico the royal cause was apparently triumphing, although it was, for a short period, considered in great danger from an invasion of foreigners, headed by a Spaniard.

Among those who had been obliged to fly from Spain after the overthrow of the constitution by Ferdinand, in 1814, was Xavier Mina, a relation of the well known General of the same name. Burning with indignation and a desire of revenge, not only against the monarch who had, as he conceived, acted thus unworthily, but also in fact, against the nation, which had so joyfully seconded the shameful deed, this young man came to the United States, where he succeeded in obtaining the means of fitting out a small expedition. With this force he sailed from the Chesapeake on the 1st of September, 1816; and, after various delays at Port au Prince, Galveston, and other places, where he made small additions to his troops and equipments, he landed on the 15th of April following, with three hundred men of all nations, near Soto la Marina, a small place on the western shore of the Mexican Gulf, at the mouth of the river Santander and about eighty miles south of the entrance of the Rio del Norte. At this time, the fortunes of the Independants, in Mexico were in the ebb. The Congress had published a republican constitution on the 22d of October, 1814; but all the advantages which were anticipated from this act, as a means of promoting union and subordination among the partizans of the cause, were lost before the end of the following year, by the seizure and subsequent execution of Morelos. While this devoted and energetic leader was in command, obedience was paid by all the insurgents to the orders of the Congress; after his capture, however, this body was regarded rather as an incumbrance than otherwise, and was at length forcibly dissolved, or rather dispersed, by Don Manuel de Mier y Teran, a young chief to whose charge its defence had been committed. The insurgent leaders then partitioned the country among themselves, and each from his fort or fastness kept the surrounding district in awe and trouble. Guerrero betook himself to the Pacific coast near Acapulco; Rayon ruled in the mountains of Valladolid, and Gaudeloupe Victoria in those of Vera Cruz; Teran established himself on the borders of Oaxaca and Puebla; the barbarian, Padre Torres, with his band ravaged the beautiful region called the Baxio of Guanaxuato, while Nicolas, the sole survivor of the gallant Bravo family, wandered about with his followers. The arrival of troops from Spain, after the restora-

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tion of Ferdinand, enabled Calleja, however, to keep up his chains of posts throughout the country, by means of which the insurgents were becoming daily more straitened, and their communications with each other were rendered more difficult.

In 1816 Calleja returned to Spain, having been replaced as Viceroy of Mexico by Don Ruiz de Apodaca, a man of a comparatively mild disposition, who was charged to offer more favorable terms to the insurgents. As his character was well known, those terms were readily accepted, and ere he had been in power a year, many, not only of the subordinates, but also of the chiefs of the Independants accepted the *indulto* or act of indemnity proclaimed by him and returned to the occupations of peaceful life. Among the chiefs who thus submitted, were Nicholas Bravo, Osourno, and Rayon, all of whom remained in obscurity until 1821; Victoria about the same time disappeared, and was believed to be dead, and the only leader of consequence among the insurgents who, in 1817, remained in command, was the priest Jose Torres.

The Viceroy had received notice from Havana, of the approach of Mina's expedition, to intercept which, he had sent out several ships of war; as he however could not learn where the invaders intended to land, his other preparations for defence were necessarily of a general character. From these circumstances, Mina found little or no opposition at Soto La Marina, and having built a temporary fort near that place, in which some men were left as a garrison, he commenced his march into the interior on the 24th of May, and the first action with the Royalist forces took place on the 12th of June, at Peotillos, about forty miles from the city of San Luis Potosi; in this Mina was successful, and before the end of the month he effected a juncture with the redoubtable Father Torres, in the Baxio of Guanaxuato,

We cannot particularize the events of the short, but brilliant career of Mina in Mexico; brilliant it was, from the constant display of boldness, energy and courage, under difficulties which, as he could not but have seen within a short time after his landing in Mexico, were insuperable. The number of his followers increased but little; the natives who joined him being scarcely more than sufficient to supply the place of those who fell in battle or from fatigue; while on the other hand, they fought with the incumbrances of women and children; to crown all, Mina soon found that he was himself the object of jealousy and hated, on the part of Father Torres. Concert of action was thus impossible; the foreigners were viewed with mistrust and dislike by the people; and except when their protection was wanted, were soon left to provide for and to defend themselves as they might. Meanwhile the Viceroy was unremitting in his exertions to destroy them; troops were gathering around them from every direction; escape was impossible, and they had only to sell their lives as dearly as they could.

The fort at Soto La Marina fell first; garrisoned by only a hundred and thirteen men, under Major Sardá, an Halian, it was attacked by General Arredondo, the Commander of the Eastern Provinces, with no less than two thousand regular soldiers. The garrison held out for some days, until at length its numbers having been reduced to thirty-seven; the fort was surrendered by capitulation, on the 15th June. The terms of the capitulation were of course disregarded; and the unfortunate foreigners expiated their rashness and folly, by imprisonment for the remainder of their lives in loathsome dungeons at Ulua, Ceuta, Cadiz, and other places.

The Sambrero, a fort in Guanaxuato, occupied by a body of Mina's men, under Colonel Young, an American, was also invested by a considerable force of Royalists, commanded by General Linan. On the night of the 19th of August, the able-bodied soldiers of the garrison, with the women and children, evacuated the place, leaving the sick and the wounded to the tender mercies of the Spaniards. Linan, however, having learned their intention, set upon them during their retreat, and killed the greater part; he then butchered the wounded, whom he found in the fort, and sent the prisoners, some to execution, others to join their comrades in their dungeons.

Mina had in the interval so far gained upon the feelings of the Mexicans, that he had assembled nearly a thousand men under his command. With these he at first

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established himself in another fort in the Baxio, called Remedios, when he was joined by the remnants of the garrison of Sombuero; and removing thence he in a short space of time reduced several of the strongholds of the Royalists. At length on the 23d day of October he ventured to attack the city of Guanaxuato; having no artillery, his attempt proved vain, he was obliged to retreat and immediately found himself almost deserted. On the 27th, while reposing in a farm-house called the Venadito, he was betrayed, surrounded and made prisoner.

The news of Mina's seizure was celebrated by public rejoicings and religious thanksgivings throughout Mexico. He was of course ordered to be instantly executed, and was accordingly shot on the 11th of November, at Tepeaca, in sight of the fort of Remedios, which was then besieged by the Spaniards. That fort soon after fell, and before the year 1817, not more than twenty of those who had landed with Mina at Soto La Marina in April were alive and not in dungeons In reward for the success of his efforts in effecting the overthrow of Mina, Apodaca was made Count of Venadito.

It will now be necessary for us once more to revert to Spain, by the political movements in which kingdom, the fate of the Americans was varied during the whole period of the contest. After the overthrow of the Constitution of 1812 by Ferdinand, that unfortunate nation remained subject to inflictions of every species; it was misgoverned by a stupid and unfeeling sovereign, profligate ministers and revengeful priests; its financial credit was destroyed, its commerce was annihilated, its roads were infested by banditti, its interior provinces were desolated by famine, and its coasts by pestilence. In the midst of all this distress, an attempt was made by the Government to procure a settlement of difficulties with the American dominions, by compromise; for which purpose the Sovereigns of Europe, assembled in congress at Aix la Chapelle, were, in July, 1817, requested to interpose. This proposition not being succeeded by any active measures on the part of those to whom it was addressed, it was determined that another effort should be made for the re-establishment of the Spanish authority in those countries, to the disturbances in which nearly all the evils afflicting the kingdom were supposed to be attributable. With this intent about eighteen thousand men were assembled at the close of 1819, in the environs of Seville and Cadiz, of whom a large portion were to sail without delay for the western continent, under the command of Calleja, the former Viceroy of Mexico, now distinguished by the title of Count of Calderon.

Possibly another object may have been in view when this expedition was prepared, in addition to those avowed by the Spanish Government. Don Luis de Onis, the Plenipotentiary of that Government in the United States, had on the 22d February 1819, signed a treaty at Washington, by the terms of which the river Sabine was recognized as the boundary between the territories of the two Powers contiguous to the Mexican Gulf, and the whole of Florida was to be surrendered to the United States. The latter of these engagements was considered in Spain so prejudicial to the interests of the kingdom that its Government endeavored by every means to avoid the ratification of the treaty; the United States, however, insisted on its entire fulfilment, and intimated that unless this was speedily done, they would forcibly take possession of the Floridas. To prevent this menace from being carried into effect, may have been one of the ends, for the attainment of which these troops were assembled in the south of Spain.

Whatever may have been the ultimate intentions of the Spanish Government, they were destined to be frustrated. The military service in America, was very unpopular among the troops in general, who considered an order to go to those countries equivalent to a sentence of death; and under these circumstances, the officers of the expedition destined for the western continent, of whom the greater part were in favor of the Constitution of 1812, easily prevailed upon the men to second an attempt to carry that plan of Government again into execution, promising them that in the event of success, they should be saved from the dreadful fate which otherwise awaited them. Accordingiy on the 1st of January, 1812, Rafael Riego, the Colonel of a regi-

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ment stationed near Cadiz, proclaimed the constitution of 1812, which was received with enthusiasm by the soldiers and people; he then marched with his followers to the head quarters of Calderon, who was, with his whole staff, immediately seized. Several officers, who had been imprisoned, on suspicion, by order of the Government, were next liberated, and the whole army of the expedition declared openly in favor of the Constitution. The news spread with rapidity throughout the Kingdom, and its arrival was every where followed by the same consequences, the authorities were displaced, the King was forced to accept the Constitution, and the Cortes were convened, to which the American Provinces were invited to send deputies. The Cortes met at Madrid, in July following, and immediately ordered instruction to be sent to all the Governors and Commanders of the forces in America, to make conciliatory propositions to the insurgents.

The tidings of these events in Spain, were received with dismay by the Spaniards in every part of America, as they immediately saw that no hopes of reinforcements or other relief from Europe, were to be longer entertained. Conformably with the instructions of the Government, General Morillo, who commanded the royal forces at Caraccas, and General de la Torre, the chief of the western division, from his head quarters at Carthagena, severally addressed communications to the Colombian Congress, and other high authorities, inviting them to accept the Spanish Constitution. This was peremptorily refused by all to whom itwas proposed. Correspondences however ensued, the result of which was a Convention of Armistice for six months, between the contending parties, concluded at Truxillo, on the 25th of November, 1820. Morillo then immediately went to Spain, and three commissioners were also sent to Madrid by the Colombians, empowered to treat respecting the future relations between the two countries. As we here take leave of Morillo, we may add, that of all the monsters vomited forth by Spain upon America, he appears to have been the most diabolical.

The commissioners sent by the Colombians to Madrid, could effect no arrangement with the Cortes; the rights guaranteed by the Constititution, were the only terms which that body was disposed to offer to the Americans, and the latter demanded a recognition of the independence of Colombia, as the necessary preliminary to peace and mutual intercourse. Under these circumstances no compromise was practicable, and the Commissioners left Madrid for France and England.

Before the news of this termination of the mission reached America, the armistice had been broken, and hostilities were resumed between the Colombian and Royal forces. The latter were at this time chiefly composed of negroes and liberated criminals, the Europeans having almost all been destroyed by war and disease, yet they held all the strongest places in the vicinity of the coasts, and could thus prevent the patriots from receiving supplies from abroad. In order to effect the latter object, more completely, Morales declared the whole coast in a state of blockade, and with a few ships at his disposal, seized several vessels of the United States, for which seizures, Spain was obliged many years after to give, or rather promise indemnification.

On the other hand the Patriots were more numerous, they were by this time accustomed to fatigues and discipline, and many foreign officers, as well as soldiers, were to be found in their ranks; they had uninterrupted possession of the upper country, from which they could obtain provisions, and to which they could retreat if unsuccessful in their attacks. In this state of things, a number of small engagements took place, which were unattended by any marked advantage to either party; at length on the 24th of June, 1821, the Royalists, commanded by Morales and De la Torre, amounting to six thousand men, were defeated and almost destroyed by the Colombians under Bolivar and the famous Paez, at Carabobo, near Valencia.

In consequence of this decisive action, Caraccas was immediately recovered by the Patriots, and the remnant of the Royalists in its vicinity shut up at Laguayra, were soon obliged to capitulate and leave the country.

Although the Spanish power in the northern part of South America had been al-

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most extinguished at Carabobo, yet the war in this quarter, was prolonged for two years after, by the perseverance and activity of Morales. Within that time the King of Spain had been, indeed, restored, by the French armies, to the exercise of absolute authority, yet no aid could be sent to his forces in America, which were gradually reduced to imprisonment within the fortifications of a few strong places on the coasts. The Colombians had in the mean time assembled a small naval force under the command of Commodore Aury, a Frenchman, who had for many years roved through the West Indian seas, under various commissions and flags of doubtful characters, and by the facilities thus afforded for transportation of their troops, as well as by blockading the Royalists, they successively regained Carthagena, Maracaibo, Cumana, and other places held by the latter. At length on the 8th of November, 1823, the Castle of Porto Cabello the last strong hold of the Spaniards in Colombia, was taken by Paez, and the whole country remained in possession of the Republicans.

After the death of Morales, the dismissal of the Mexican Congress by Teran, and the complete destruction of Mina and his followers, the hopes of the partisans of independence rapidly sunk. The system of energy on the one hand, and of conciliation on the other, pursued by the Viceroy, Apodaca, daily overthrew or disarmed the enemies of the Spanish authority. There was no longer among the insurgents any directing power to which the various chiefs would bow; each was absolute over his own followers, and would brook no interference on the part of another leader; and combination of movements among them was rendered impossible by mutual jealousies and mistrusts. Under these circumstances, the war gradually became merely a series of contests between the legal authorities and hordes of banditti, and the wealthy and intelligent part of the population began to look to the standard of Spain as the symbol of order, and there was every prospect that quiet would be gradually restored. The pride of the people had also been flattered by the employment of natives in offices of trust, profit, and honor; in this way the elevation of Don Antonio Perez, a Mexican priest, of great talent, learning, and character, to the high ecclesiastical dignity of Bishop of Paebla, had great effect in reconciling the inferior clergy, hitherto the most determined opposers of European domination The Spanish troops in Mexico at this time did not exceed five thousand; there was, however, a large force of native soldiers, who were well disciplined, and to secure whose fidelity every means consistent with prudence was employed by the Government. The most prominent among the officers of this latter force, was Augustin Iturbide, a native of Michoacan, who had elevated himself to the rank of Colonel, by his courage, his activity, and his ferocity towards the insurgents; soon after the arrival of Apodaca, however, he had for some reasons retired from the service, and devoted himself to the performance of religious acts, in which his scrupulous perseverance had caused him to be as much esteemed by the people, for this supposed sanctity of his character, as he had been before dreaded on account of its manifest ruthlessness. This was the man, whom the Viceroy selected to carry into effect his scheme for maintaining the absolute authority of the King in Mexico.

Having been unable to give place to the remainder of this paper in the present number, we are obliged to content ourselves with promising that it shall be concluded in the next.

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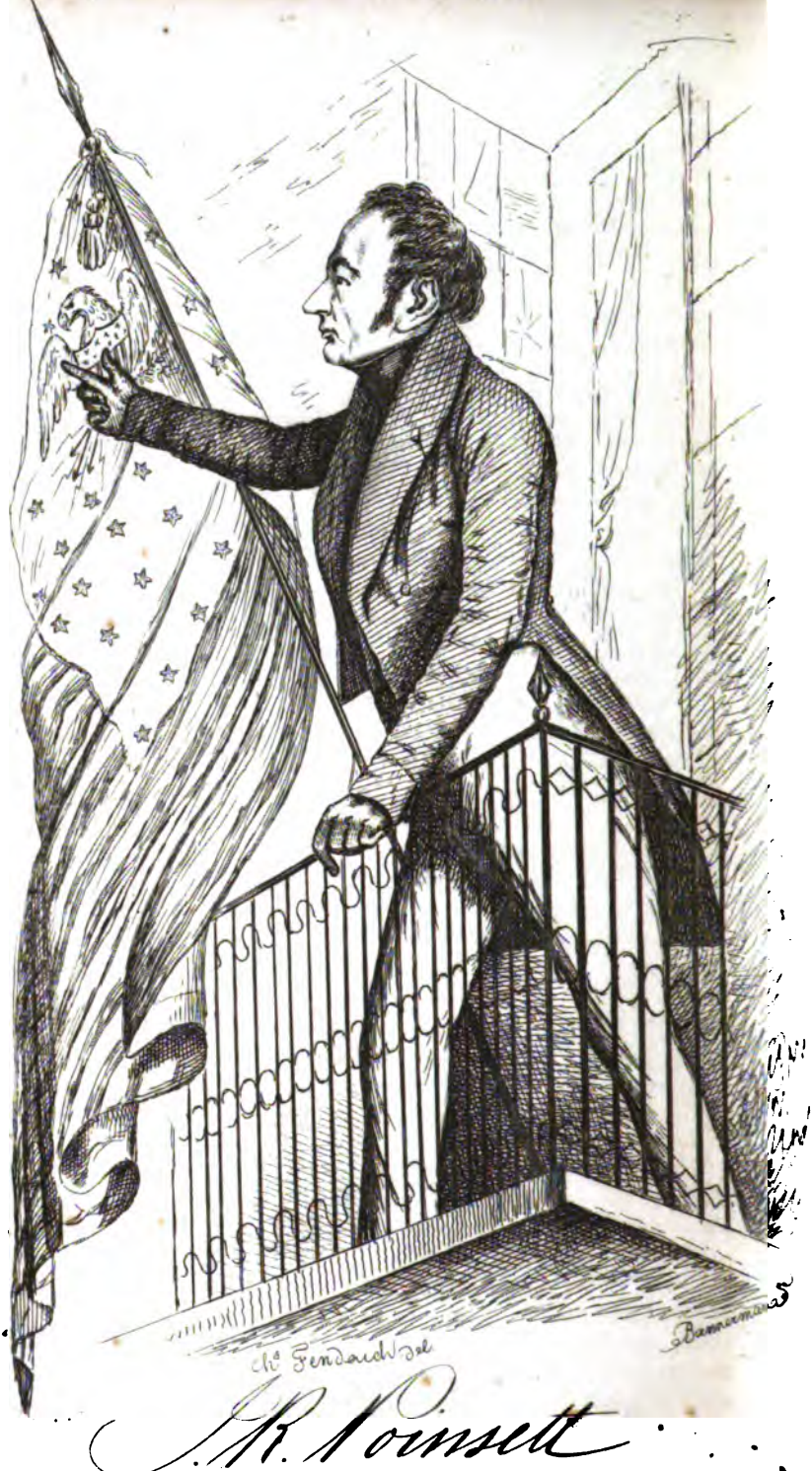

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POLITICAL PORT

JOHN

THE striking incident [illegible]
the opposite drawing of Mr. [illegible]
one of its proudest personal [illegible]
ble, that ma[illegible]
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find a [illegible] account of [illegible]
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representation of Mr. Poins[illegible]
energy of the scene seen [illegible]
pearance, an excitement, [illegible]
which characterize his man[illegible]

If brilliant talent, tried de[illegible]
and a conspicuous part in the c[illegible]
give claim to an early place in the [illegible]
Secretary of War well deserves it. A [illegible]
and patriotic statesman, is scarcely to be [illegible]
abounding in romantic incident and adventure [illegible]
never suffered to languish—diversify those traits and [illegible]
as much of interest to the private as the pol[illegible]

He is descended from Peter Poinsett [illegible] Sarah
Fouchereau, natives of Soubise, [illegible]
chelle, in France, emigrated soon [illegible]
of Nantz, and established themselv[illegible]
family has ever since resided. He [illegible]
companied the American division [illegible]
D'Estaing, and attended Pulaski when he [illegible]
in the attack on Savannah.

After receiving the rudiments of education [illegible] Mr. Poinsett was removed, while yet a [illegible] —a beautiful village in the valley of the [illegible] river. He remained there some time under the charge of Dr. [illegible] —a master not more distinguished for learning, than [illegible] piety and a love of literature, equally various and refined. At about seventeen, the young scholar was sent to England, not merely to prosecute his studies, but to gratify a desire, early displayed, of visiting and [illegible] through foreign countries. At a good school, not far [illegible] London, he rapidly mastered the classical languages, and [illegible] the riches of their lore. Turning from these to natural scie[illegible]

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

(No. III.)

JOEL R. POINSETT.

The striking incident which the artist has, in part, represented in the opposite drawing of Mr. Poinsett, has passed into our history as one of its proudest personal associations, and is, in truth, so remarkable, that in a sketch purporting to give a life-like representation of the man, its stirring memories could not be omitted. Our readers will find a minute account of the circumstances in the subsequent pages; suffice it here to say, that the accompanying sketch gives a spirited representation of Mr. Poinsett's figure and features, although the energy of the scene seems necessarily to have imparted to his appearance, an excitement, the opposite of the quietness and repose which characterize his manner in ordinary life.

If brilliant talent, tried devotion to sound republican principles, and a conspicuous part in the changing scenes of American politics, give claim to an early place in the series of our portraits, the present Secretary of War well deserves it. A truer democrat, a more active and patriotic statesman, is scarcely to be named; and yet a life abounding in romantic incident and adventure—a taste for letters never suffered to languish—diversify those traits and impart at least as much of interest to the private as the public man.

He is descended from Peter Poinsett, who, with his wife, Sarah Fouchereau, natives of Soubisi, about twenty miles south of Rochelle, in France, emigrated soon after the revocation of the edict of Nantz, and established themselves in South Carolina, where the family has ever since resided. His father, Dr. Elisha Poinsett, accompanied the American division sent to coöperate with Count D'Estaing, and attended Pulaski when he received his death wound in the attack on Savannah.

After receiving the rudiments of education at Charleston, Mr. Poinsett was removed, while yet a youth, to a school at Greenfield,—a beautiful village in the valley of the Connecticut river. He remained there some time under the charge of Dr. Dwight,—a master not more distinguished for learning, than for his piety and a love of literature, equally various and refined. At about seventeen, the young scholar was sent to England, not merely to prosecute his studies, but to gratify a desire, early displayed, of visiting and rambling through foreign countries. At a good school, not far from London, he rapidly mastered the classical languages, and acquired the riches of their lore. Turning from these to natural science,

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he repaired to Edinburgh, where he entered himself in the medical school, and pursued all the branches of that study,—so attractive to a young and inquiring mind,—with an ardor which a constitution, never very strong, soon proved unable to bear. To recruit his health, he made a rapid tour through the milder climates of the south of Europe, and when it was re-established, he returned to England with the intention of devoting himself zealously to the military profession, for which he had always a strong predilection, and which he then designed to be the object and business of his future life. Finding the doors of the Royal Military Academy, at Woolwich, not readily opened to a young republican, he placed himself under the instruction of Marquois, who had been a professor in that institution, and who was distinguished as a mathematician and teacher of the military art. In 1800—being then twenty-one years of age—he returned to his native country with the desire and intention of at once entering the army. The strong repugnance of his father prevented this, however, and he became, and continued, for nearly two years, a student of law, in the office of Mr. Desaussure, afterwards chancellor of South Carolina. Perhaps the dry volumes of legal learning presented little attraction to a young man fond of adventure and panting for a more active career;—certainly before his term of study was completed, he had again embarked for Europe, and we soon find him tracing, on foot, the hills and valleys of Switzerland, and penetrating the wildest recesses of the Alps. From these he visited the principal cities of Italy and Sicily,—went to Malta, and then, after a few months absence, again returned to Switzerland.

There was no celebrated spot, of that singularly picturesque country, which he did not visit,—and to the interest attached to their natural beauties was added that of the political events of the period. The French troops had evacuated Switzerland, and under the sanction of the treaty of Luneville, the democratic cantons were seeking to re-establish, by force of arms, the old confederation. It was a sight,—most interesting to a young republican,—to see these hardy mountaineers gathering in the valleys and marching through the narrow and ice-bound defiles, to unite under the banner of the gallant Aloys Reding;—and he followed them to Scheveitz, where he became acquainted with that celebrated Swiss leader. From that place he pursued his journey, by way of Zurich, towards Berne. Before reaching there, he was overtaken by the main body of the Swiss forces, who were marching to seize the city and dispossess the government established by the French Directory. The rude little army might have rivalled, in disorder, an equal body of untrained American militia,—and when some of the hospitable mountaineers recognized the young republican traveller who had been wandering among their hills, he was joyfully elevated upon one of their bag-

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gage waggons, and carried along with them to the gates of Berne. After witnessing them—in fond anticipation of future freedom—take possession of the government, almost without resistance, he proceeded to Geneva. There, and in the neighborhood of the Leman lake, he fixed his residence for some months. It was at the period when Neckar, sinking with years, and his accomplished daughter driven from the court of Napoleon, were residing in the neighborhood, at the village of Copet. To them the young, intelligent and enthusiastic American, often proved a welcome guest. On one of these occasions he happened to be present at a dinner given by Madame de Stael to Mr. Livingston, the American Minister to France, and then on a tour through part of Savoy and Switzerland. Neckar, though very infirm, and from the loss of his teeth scarcely intelligible, loved to dwell on the events of the revolution in which he had acted so conspicuous a part; and as Mr. Livingston was extremely deaf, the young traveller had the embarrassing task of interpreting between them. Madame de Stael, who perceived the difficulty, came to the rescue,—and while she rendered into her own clear and elegant diction, the scarcely intelligible language of her father,—gave new charms to the conversation by the comments which she made. Never did she appear so amiable as while watching over her father's fame and health. Although the vigor of his body was gone, she could not bear to believe, or permit it to be seen, that the faculties of his mind, which with filial affection she had always overrated, had suffered a similar decay. As he walked in the afternoon, supported by a servant through his garden, which extended along the beautiful margin of the lake, this remarkable woman,—who appears to the world to have lived only for literary reputation,—watched with the most anxious care, the tottering footsteps of her aged parent;—she hung with delightful reverence and attention upon all his words,—and by the manner in which she explained them, gave full relief to the slightest observation that he made.

From Geneva, Mr. Poinsett passed into Bavaria, and from there, extended his travels through the Austrian empire. Receiving, while at Vienna, the melancholy intelligence of his father's death; he set out immediately, in the depth of winter, for Rotterdam, whence he sailed to the United States.

The sad occurrence, which thus hastened his return to his native country, was followed, shortly after his arrival, by domestic affliction, scarcely less severe. He found his sister sinking under the influence of a fatal disease,—and in following her soon after to the grave, he lost his only near relative. This event induced him to resume his travels. He returned to Europe and proceeded to visit the northern countries of that continent. At St. Petersburg he found the Emperor Alexander, then lately elevated to the throne,—and full of the curiosity and enthusiasm which marked his youthful charac-

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ter,—disposed to receive with favor a traveller from beyond the Atlantic, and anxious to inform himself on the peculiar institutions of the new republic. It was on one of these occasions, while Mr. Poinsett was dilating with honest pride, on the happiness and advantages of his country, that the arbitrary ruler of that vast empire exclaimed,—not perhaps insincere at the moment,—"Were I not an Emperor, I would surely be a Republican." The young American was offered a place in his service. The promises of favor and promotion were flattering, but they were, of course, without success. If he could have thought for a moment of abandoning his country and accepting employment under a foreign government, perhaps the example of the fallen condition of the Prince of Nassau, which must, at St. Petersburg, have been constantly before his eyes, would have effectually deterred him. That gallant and distinguished officer,—once the favorite of the Empress Catharine, and the commander of her fleets and armies,—lingered at that time in the court of her imperial successor—an object of neglect, if not of contempt—a melancholy example of the fate of those who put their faith in princes.

From St. Petersburg Mr. Poinsett undertook a tour of wide extent, not only through the European and Asiatic Russias, but far into Persia and Armenia. After visiting Moscow and Kasan, he descended the Volga to Astrachan, and remained three weeks in that singular mart, where are assembled the wandering merchants of almost every Asiatic caste and tribe. From that city he made an excursion into the country of the Calmuck Tartars, and was hospitably entertained for several days in the tent of one of their Priests or Lamas. These wandering tribes are all worshippers of the Dalai Lama, and their superstition and ignorance are scarcely credible. The tent of the Lama was circular in form and not wanting in convenience or comfort; the base was of wooden lattice work, about two feet and a half high, and the cone of stout felt. In front of the entrance, on a range of shelves, were sundry molten figures, and a low bench furnished with small silver cups, was placed before them. On one side stood three banners with characters inscribed upon them, and opposite to these was the bed, over which hung the cylinder covered with characters similar to those upon the banners; the floor was strewed with rose leaves, every day renewed. As soon as our traveller and his escort were received at the tent, tea was prepared and a small portion poured into every silver cup as an offering to the gods; the guests were then treated with it, though nothing but a strong sense of politeness could have induced a Christian to swallow beverage in which the fragrant herb of China was mixed and boiled up with a quantity of butter and salt. When the priest had thus regaled his visiters, he proceeded to display the mysteries of his worship. He carried, in succession, each of the consecrated flags to the entrance of his tent, and as he waved them violently in the air,

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the people uttered the wildest shouts. He then took from above the bed the cylinder covered with inscriptions, and placing himself in an attitude of devotion before the images, twirled it on its axis with wonderful rapidity. After he had continued this exercise for some time, he turned to the strangers and explained to them, with serious solemnity, that prayers were written upon the cylinder, which his gods could distinctly read as it revolved before them;—"thus," added he, "I have the advantage of offering more prayers in half an hour, than you, by your method, could offer in a year."

After leaving the Russian dominions, Mr. Poinsett continued his journey along the shores of the Caspian sea to Baku, the principal frontier town of Persia, on the northwest. He had an escort of three hundred Cossacks, and was treated with great hospitality and respect in most of the various places through which he passed. At Ludah, the first village beyond the territory of Russia proper, the chief insisted on accompanying the travellers on the first day's journey, expressing his fears that the escort was too small, and rather calculated to excite hostility than insure protection. They reached Tarki, the residence of the Schemkall, late in the evening. It was a strong hold, surrounded with a stone wall, and seemed planted to defend the pass from the plains into the mountain region of the Lesgi Tartars. The party were received with the ceremonies characteristic of a state of society where man is in constant warfare with his fellow. The Schemkall, attended by his armed followers, met them at the door, and their arms were delivered up and hung upon a column in the centre of the hall, before they were permitted to pass the threshold. The Cossacks were encamped without the walls, and the Schemkall, a tall and venerable chieftain, after he returned from seeing that they were comfortably accommodated, remonstrated against the rashness of attempting such a journey, as the travellers contemplated, with so little protection. Finding them bent, however, on their design of penetrating into Persia by this unusual route, he advised them to dismiss their escort and throw themselves entirely on the hospitality of the people,—offering, if they would do so, to accompany them himself on the first day's journey, and to put them in safe hands for the rest of the way, to Derbent. Notwithstanding the remonstrances of the leader of the little Cossack band, who insisted that he could fight his way to Ispahan, the travellers determined to assent to the advice of the Schemkall, and after parting with their hitherto faithful attendants, set forward at the dawn of day, under the guidance of the venerable Tartar chief, whom they had seen, for the first time, but a day before. He was attended by twelve of his chosen followers, armed to the teeth with a strange mixture of Asiatic and European weapons;—the sabre, the bow and arrow, the spear, and the pistol, were all borne by every Tartar, and they were expert in the use of them all. The journey

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of this motley squadron lay along the edge of the Caucasian mountains; it was the season of harvest, and the Tartar husbandmen, as they gathered in their grain, kept their arms carefully stacked by its side,—and as they discerned the travellers from time to time, their weapons were eagerly seized to fight in defence of their crop, or, perhaps, to have plundered them had they chanced to be unprotected. In the evening the party reached a small village where they found preparations for their reception, and on the following morning the Schemkall delivered them over to one of his followers, by whom they were to be conducted to Derbent, under the most solemn injunctions to care for their safety;—"on your head be it," were his last words as he departed to return to Tarki.

Their new guide betrayed great anxiety and detained them until evening, gathering together some forty or fifty men. Shortly before they set out, a Persian merchant asked, and obtained permission, to add his travelling company to the rest of the party. At sun-set they started and marched all night. At the dawn of day Mr. Poinsett halted to see the strange group by which he was attended, pass by, and was surprised to perceive, in the midst, several covered carts with latticed sides, through which he could discern female forms. On inquiring, he found that these were part of the merchandise of the Persian who had been buying girls in the mountains of Circassia, whom he was now conveying to Baku, for sale. The whole party arrived, without accident or adventure, at Derbent, or, "the locked door"—the Portæ Caspiæ of antiquity,—paying at its gate the toll which is imposed on every infidel on account of the Mahometan tradition,—that their empire was to be overrun by a nation with yellow faces who would enter that gate.

From Derbent the party were accompanied by a regular escort of Cossacks and Persians, headed by a Mehmandar, and in three days reached the territory of the warlike and independent Khan of Kouban. They had scarcely crossed his boundary, when, as they turned a projecting mountain that jutted from Caucasus into the plain which borders the Caspian, they came suddenly upon a numerous and glittering troop of horse. Both parties were about equal in number; each halted within two or three hundred yards of the other, and formed at once in battle array. After eyeing one another for some time, the chief of the opposite band, attended by a single follower, slowly rode forward,—his gun upon his saddle-bow,—his hand upon the lock, and his loose sleeve thrown back. Mr. Poinsett left his troop and moved on to meet him; his Tartar servant,—who never left his master night or day, and who proved, throughout the journey, a faithful and devoted follower,—was at his side, and when within a short distance, said calmly and in a low voice,—"Now shoot him, sir, as you did that hawk, this morning;—kill him, and his men will fly like chaff. I know them well." Find-

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ing his master not disposed to give to the parley so sanguinary a character, he cried out, with urgency and alarm,—"For your father's sake, sir, shoot the fellow down, or we shall have hot work soon." The chief, however, soon gave evidence of less hostile intentions. Approaching close to Mr. Poinsett, he demanded of him whether he had a firman for travelling in the Khan's dominions. Finding they had not, he refused to permit them to proceed,—but consented that they might pass the night at a neighboring village, and there await the result of a message to the Khan. To this the travellers were compelled to accede, for had they even attempted to force their way onward, they would but have aroused the hostility of the whole country through which they were to pass. Both parties accordingly filed off from the high road and took up their quarters in a village hard by. Notwithstanding the apparent civility of their host, he refused to eat with them,—and Mr. Poinsett, whose suspicions were excited by the circumstance, took an opportunity to reconnoitre the outlets of the village and the approaches to the mountains,—being resolved, in case of treachery, to seek the Khan in Kouban, his mountain hold, and throw himself upon his hospitality and protection. The foresight proved necessary. About midnight he was awakened by one of his escort, with the information that an attempt had been made to steal the horses of his troop, and that those of the Persians, among which was a favorite and beautiful charger of the Mehmandar, had actually been taken. On this intelligence, a small body of the Cossacks was at once sent secretly to occupy the pass into the mountains, and some of the villagers with their horses were seized. By the dawn of day, the travellers had quietly collected their whole party and were on their retreat rapidly towards the mountain pass, when they were discovered by the Tartars, who immediately pursued them until they were checked by a brisk fire from the Cossacks, the moment they reached the mountain defile. Forcing the villagers who had been seized to act as guides, Mr. Poinsett led the whole troop through the mountainous passes towards Kouban. As they were approaching that place, the alarm was given that the enemy were again in pursuit,—but it proved to be a band of Tartars, who brought back the stolen horses, and restored to the delighted Mehmandar his favorite steed, which he welcomed with the extravagant joy often evinced towards that animal in the East. When the travellers related their adventures to the Khan, and the cause of their unexpected visit, he received them with a hearty welcome, and vented his wrath in unmeasured terms, at the conduct of the Tartar chief. "You shall have his head tomorrow," he said to Mr. Poinsett, "unless you are willing that I should pardon him, since he has enabled me to welcome you at Kouban." They remained three days,—during which, they were feasted and treated with the rude warmth of savage hospitality.

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From Kouban the party pursued their journey to Baku, accompanied by an escort, which the Khan forced them to accept, and which preserved them from any further accident. Mr. Poinsett remained some time at this place, which is the chief commercial port on the Caspian sea, and in whose neighborhood are the sacred spots visited, from the most remote times, by the Guebres, Parsees, or fire-worshippers, who assemble there from the farthest parts of the East. He saw, in one of the temples, pilgrims who had travelled from the banks of the Ganges to join in that immemorial worship, around the lambent flame which is perpetually issuing from the burning earth. The rude and illiterate devotees probably practised the same ceremonies, as they entertained the same superstition, and assembled at the same spot as the followers of Zoroaster had done thirty centuries before;—but how little were they now to be compared to a sect which embraced in its day most of the learning and philosophy of the world! Before our traveller left Baku, an incident occurred, which, while it indicates the usages of Asiatic countries, may make our own fair countrywomen rejoice that they are born in a Christian land. He had observed on the journey, the girls whom the Persian merchant was bringing to market, and saw, that although young, fair, and beautiful, they were wretchedly thin and pale. The merchant met him one day, in the streets of Baku, and recognizing the stranger, to whose prudence the safety of the journey and the preservation of his merchandise was principally owing, he stopped to express his gratitude; then looking at him with the air of a chapman, proud of his wares, he added,—"you thought the girls handsome when you saw them on the road; come and look at them now; I have been feeding them on meat, and you will be surprised to see how much better they look."

Instead of pursuing his journey farther into the interior of Persia, Mr. Poinsett was attracted by the military movements the Russians were then making in the mountainous districts, between the Black and Caspian seas. On leaving the shores of the latter at Baku, he turned towards the west, and passing through the province of Shirvan, visited Teflis, the principal city of Georgia,—the dark and frowning towers of which, built centuries before by the native Czars, overhung and defended a defile of Caucasus. From thence he passed rapidly onwards and fell in with the Russian army while engaged in the siege of Erivan. The assault, by which the besiegers closed a fruitless blockade of six months, proving unsuccessful, their army was compelled to retreat, and our traveller pursued his journey through the little frequented and mountainous territories of Armenia, until he reached the Black sea, at the mouth of the river Kuban. From there he passed through the Crimea and the Ukraine, and by way of Moscow, to St Petersburg.

[TO BE CONCLUDED IN OUR NEXT.]

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THE

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COTTON,*

AND ITS CONNECTION WITH THE CURRENCY QUESTION.

Our most important national interest, of a physical nature, is, undeniably, our cotton culture. This is the great staple on which our vast foreign commerce mainly depends. This affords the rich mine from which we draw the means of paying for the enormous quantity of the productions of foreign art now necessary to the daily comfort of all classes of our population. If the English spinning-jenny is the sceptre with which the Island Queen rules the world, with an undisputed sway of commercial ascendency, the American saw-gin is an instrument of power, upon which the other is itself almost wholly dependent for its ability to maintain that magnificent dominion. We could not, therefore, more usefully fill a portion of our pages, than by devoting them to the subject denoted by the above title; of the different points of view in which it presents itself, its financial importance, as connected with the currency, induces us to direct our attention to that branch of the subject, in particular, in this article,—the interesting topics of the history of its culture and manufacture, both in our own and in other countries, being reserved for future numbers.

Previously to the peace by which our national independence was established, no cotton was produced within the present limits of the United States. It can hardly be said to have been cultivated, excepting perhaps as a rare exotic, before the adoption of the Federal Constitution. Its subsequent history may safely be pointed to, as exhibiting a signal instance of the influence of free, popular institutions, such as were created by that imperishable instrument, to develope the natural resources of a country.

At this day, we can hardly appreciate the vast revolution which the introduction of this staple has effected in our commercial rela-

* Letter of the Secretary of the Treasury transmitting tables and notes on the cultivation, manufacture and foreign trade of cotton. Document of House of Representatives, No. 146, 1st session, 24th Congress.

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tions. Powerful as its influence is now known to have become, its effect in this particular, to be fully understood, should be contrasted with our situation at the close of the Revolution. For a series of years, the pecuniary condition of the United States was deplorable in the extreme. No one of the present generation can have made himself familiar with the public and domestic affairs of that period, without being painfully affected with the strong evidences of general poverty which prevailed. Some of the fairest and most productive sections of the Union had been totally exhausted by the ravages incident to war. The citizens of those sections, which had not been overrun with ruthless bands of foreign mercenaries, had patriotically expended their resources in the public defence. In most of our towns and cities, the extensive mercantile establishments, which flourished before the war, had been broken up. A scene of ruin and desolation almost universal was exhibited, arising from the baleful effects of a depreciated paper currency, and the destruction of property incident to a state of domestic hostility of seven years' duration.

With peace came strong temptations to indulgence in the luxuries and fashions of Europe, from the example of which our own social habits had been generally formed. Instead of weaning our countrymen from their expensive tastes, the long compulsory abstinence they had undergone, had greatly increased their relish for such gratifications. Our productions, which could be exported in payment for foreign commodities, possessed at that time a comparatively trifling value. The inevitable consequence was, that a large proportion of the circulating medium, that was intrinsically valuable, was remitted abroad, to meet the balances due to foreign merchants. Indebtedness and embarrassment, approaching to desperation, pervaded the community, to such an extent that in several sections of the United States, popular tumults arose, and, in some instances, were carried to the extent of an organized resistance to the laws. The enemies of our free institutions, both at home and abroad, boldly and confidently anticipated a speedy overthrow of the *experiment* of the people of the United States in the art of self government.

These trying scenes were met by the *men* who, in the midst of innumerable privations and disasters, had withstood unshaken both the arms and the intrigues of the most powerful nation on earth. Despising all temporary expedients, and—with a wisdom which it would be well that their successors had always imitated—denouncing all measures of temporary relief which might involve the country in more formidable subsequent difficulties, they resolutely adhered to those high principles in which alone were to be found the safest protection for their true and permanent interests. The burthen of debt which pressed so heavily upon all classes was gradually reduced by laborious industry and careful frugality. Confidence

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eventually became restored by this natural and healthy mode; and the earnest attention of the whole people was directed to the developement of the resources of our extensive territory.

The production of cotton in the southern and south-western States, may be fairly considered to have exercised a more important agency than any other single circumstance in retrieving the credit of the country both at home and abroad. By furnishing a staple commodity of general necessity to a great amount, this cultivation has enabled our citizens, in all sections of the United States, to follow their gainful commerce without being constantly exposed to the disturbing influence of the enormous sacrifices upon their remittances to foreign nations, to which they were before subjected. In connection with our tobacco, fish, lumber, rice, and bread-stuffs, cotton, has mainly enabled us to pay for the articles of necessity as well as luxuries, which we have so largely imported from England, France, and other countries. It has accordingly become one of the principal sources of the wealth of our citizens, greatly advantageous even to the States which do not produce it. Our cotton crops have in fact placed Europe in a state of greater dependence upon us than we are upon Europe, inasmuch as this commodity is essential, not only to the prosperity, but to the very existence of a great portion of its manufacturing population. In this point of view the production of cotton in the United States may be regarded as the most important element of our actual commercial independence.

The precise circumstances under which this cultivation began in the southern States, the time when, and place where, it obtained first a permanent footing, are involved in much obscurity. It doubtless commenced upon so small a scale as to have attracted little general attention. South Carolina appears to be entitled to the credit of its first introduction, as early as 1785 or 1786; though it was immediately communicated to the adjoining State of Georgia, where it was produced at the earlier stages of its cultivation, in the largest quantity. The great obstacle to its extension was the infinite trouble and delay with which the separation of the fibre from its seed was attended. The species of cotton first introduced, known in commerce by the name of upland, adheres to every part of its seed with great tenacity. Among the early cultivators, the fibre was usually separated from the seed by the hands of the laborers. A pound of clean cotton was the usual task for the day's work of a female. The first planter who raised cotton upon a large scale, as it was then called, was Mr. Teake, of Savannah. In 1788 his crop was 5000 lbs. in the seed. This would make about 1200 lbs. of clean cotton by the present mode of ginning. The difficulty which he experienced in procuring this crop to be cleaned was so great, that he proposed to his correspondent in the north to send it to him in the seed, under the belief that the persons by whom it was manu-

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factured would devise some more convenient and economical mode of preparing it for carding, than was in the power of the planter. It was found, however, that cotton in the seed was an unsaleable article among the manufacturers. Rollers and the bowstring were subsequently introduced, to facilitate the separation from the seed, and continued in use until the saw-gin was invented; but the process with their assistance was exceedingly tedious and expensive. After they had been universally abandoned, upland cotton was known for many years in the English market as "Bowed Georgia." In fact it is sometimes quoted by that name in the prices-current of the present day—more than forty years since the instrument from which it was originally called has been entirely out of use.

In 1793, the difficulty which had so long been the principle obstacle to the extensive and profitable cultivation of upland cotton, was effectually obviated by a young man from Massachusetts who had been engaged to go to Georgia in the capacity of a family tutor. Soon after his arrival in that State he was apprised of the great inconveniences to which growers of cotton were subjected in preparing it for market. With the characteristic enterprise of his origin, and a prophetic perception of its incalculable national importance, he immediately racked his invention for the contrivance of a remedy. The *saw-gin* was not, as has been the case with so many of the most valuable discoveries, the offspring of a lucky accident, but was the result of the systematic application of earnest thought and powerful mechanical genius. When it was originally put in motion it was precisely identical in principle and operation with those now employed throughout the southern and south-western States. For the sake of the credit of those States which have derived almost incalculable wealth from his simple and ingenious invention, we wish it was in our power to say that a fit reward had been bestowed upon ELI WHITNEY!

The commencement of the cultivation of sea-island cotton is more clearly ascertained. It was first grown upon Lapeto Island, on the coast of Georgia, in 1790, from Pernambuco seed. This description of cotton greatly exceeds all other kinds, both in fineness and length of fibre. For the highest and most expensive manufacture, this species of cotton is indispensable, and only coming to perfection upon the islands, and near the coast of the Atlantic, the limited quantity produced maintains its comparatively high price in the market. In preparing sea-island cotton, the saw-gin is not generally employed, as it breaks the long silky fibre which is one element of its peculiar value. This fibre does not cling so strongly to the seed as that of the upland, but adheres principally at the ends. They may, therefore, be separated by rollers with much greater facility, though the process is exceedingly slow when compared with the operation of the saw-gin. This increased labor is compen-

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sated by its enhanced price, which, for the best quality, is usually, in the English market, three or four times greater than that of upland. No part of the world produces cotton of equal excellence. The amount raised has been nearly stationary for the last thirty years, from the limited extent of territory upon which it can be grown.

The admirable report of Mr. Woodbury, on this subject, to the last Congress at its first session, gives, in a succinct form, the best data any where to be found relative to the progress and extent of the cultivation of cotton in the United States. It furnishes, indeed, the quantity produced, as well as manufactured, in every part of the world, at different stated periods. We have been struck in examining this document, with the vast amount of important information on this subject, compressed within the compass of less than a hundred and twenty pages. It seems that all the publications in the European languages, as well as those of our own country, which refer either to the production or the manufacture of cotton, have been diligently consulted and brought together. None but such as have been accustomed to such researches, can appreciate the labor necessary to collect such a mass of facts, from detached sources, and present them to view in a condensed and tangible form. That it should have been done, and so well done, by an individual holding a public station which requires such laborious and unremitting attention, may appear wonderful to those unacquainted with the range of information, and the habits of industry, for which Mr. Woodbury is distinguished.

From that invaluable collection of the leading statistics of our subjects, we derive the following statements, to show the remarkable fact of the wonderful increase of its production, within the period of less than half a century. As the quantity consumed in this country at various periods appear to be wholly a matter of estimate and opinion, we take the account of exports from the United States, which are clearly ascertained, as the means of comparing the relative amounts produced.

The quantity exported in 1790, was 400,000 lbs. In 1791, 200,000 lbs. and in 1792, 150,000 lbs. Its diminution, during the two last named years, furnishing, even in the absence of all other testimony the most conclusive evidence of the difficulty of preparing the commodity for market, to which we have adverted.

In 1795, after the saw-gin had begun to operate to a considerable extent, the export was 6,250,000 lbs. From this period the exportation has gradually increased to its present extent—being in 1835, the last year stated by Mr. Woodbury, 336,500,000 lbs. From other authentic sources we have ascertained that the export of 1836 was upwards of four hundred and twenty-three millions of pounds. The whole of the exportation of cotton from the United States during the three first years before stated would hardly suffice for the cargo of

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a single ship of the size usually employed in freighting it to Europe; while, in 1836, if we add to the quantity exported that used in the United States, for domestic purposes and our extensive manufactures, which cannot be fairly estimated at less than one hundred and twenty-five millions of pounds, the aggregate would not fall far short of enough to freight a thousand such ships. Such a wonderful increase in the production of a single article, within so short a period, cannot fail to fill the mind with astonishment.

Among the sudden changes which have influenced for good or evil, all classes of society throughout the United States, none perhaps are more worthy of investigation than the vibrations to which, the price of cotton has been subjected. Within the last twenty years, during which it has been by far our most important staple, it has exercised a controlling influence upon our whole commerce. The causes and consequences of the revulsions to which the cotton trade has been exposed, possess, therefore, the deepest interest to individuals engaged in every pursuit. The whole community are affected directly or indirectly by the prosperity or adversity of those engaged in the production of cotton. The producers of other commodities are compelled, from its superior amount and value, and from its entering so largely into all our transactions with those countries with which we have the most intercourse, to share, to a greater or less extent, the same fate. The question of the origin of the pernicious fluctuations of price which cotton has undergone during this period is, one of scarcely less importance to all portions of our community, than to the particular sections of the Union more immediately concerned with it. Those fluctuations have been enormous; and though usually cited, with reference to the single pound, by the change of a few cents more or less, each one is accompanied by a convulsive agony to the social body, involving an incalculable amount of present suffering, and a permanent evil effect still less easy to be accurately measured. The leading idea ought never to be lost sight of, that steadiness and uniformity are essential to the sound prosperity of all productive industry,—instability of value, even though it may occasionally stimulate to a temporary excess of delusive prosperity, being the worst of evils, and beneficial only to those classes whose profession it is to live, by their superior vigilance and dexterity, upon that productive industry. It was well remarked during the debates of the extra session, in the Senate, that the great drawback of *fluctuation* alone deprived the cotton growing sections of this Union of their natural birthright of the highest degree of prosperity and wealth that the teeming bounty of the earth can bestow upon human labor. No subject, then, appears to us more worthy of careful investigation—of an importance far superior to temporary party passions or interests—than the manner in which our merchants and planters have heretofore been seen

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periodically to wax rich to superfluity, on a rise of prices, and to suffer themselves to be suddenly overwhelmed with bankruptcy and ruin when the scale of price is depressed. Price is, of course, in all cases, immediately dependent on two elements, acting distinctly, though with a mutual influence on each other,—the first being the demand for the purpose of consumption, the rise or fall of which naturally acts directly on the price,—the other being the state of the currency, whether of expansion or contraction, relatively to the average standard of the business wants of the community, increasing or decreasing the facilities of obtaining money, and proportionately appreciating or depreciating its real value, and with it raising or lowering the scale of nominal prices. The former is a wholesome, as it is a natural, stimulus to production, to the extent required to furnish the due supply; the latter produces only a delusive and temporary excitement which sooner or later involves those who act under its influence (except only a fortunate and skilful few) in disappointment, and often ruin. Whenever both these stimulants happen to co-operate in giving impetus to production, the result has always shown that the fundamental law of physics which was first explained and demonstrated by D'Alembert, and has since been the foundation of some of the most brilliant discoveries of modern astronomy, may be said to apply in like manner to economical science. The great principle that the action of forces, producing motion, is always equalized by their reaction, enabled Laplace to unravel all the apparent irregularities of the solar system, which had confounded his predecessors. In its application to mathematical science, this principle is susceptible of exact proof. The principles of economics being, from their nature, incapable of similar rigid demonstration, the mind must rest satisfied whenever the records of experience will enable us to draw a sufficient number of correct inferences to establish any important general truth.

We have stated that a rise of price, occasioned by the increased demand of the consumers, is a healthy stimulus to production. But the immediate influence of high profits, though salutary in furnishing a supply co-extensive with the demand, rarely stops at that point. Among a free and enterprising people the rates of profit, realized by individuals engaged in the various employments of life, have a constant tendency to the same level. Unless competition be directly repressed by extraneous circumstances—such as climate, soil, want of capital, or restrictive legislation—it is clearly impossible to prevent a free participation in the superior returns furnished by any particular pursuit. Whenever high prices are obtained by any description of cultivators—those of cotton for instance—other persons whose capital and labor were previously bestowed upon occupations affording less profit, are induced to abandon them, and embark themselves and their means in the more promising employ-

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ment. The profits acquired from time to time in the business are also reinvested as speedily as possible. The accession of new adventurers, and the expansion of the cultivation of the old, combine to increase production in a ratio the rapidity of which is rarely perceived by those whose attention is devoted each to his individual affairs.

In the ordinary pursuits of life, whenever any employment becomes peculiarly profitable, those engaged in other occupations are seldom able to rush suddenly into it. Generally, it is a work of considerable time to change entirely the objects of agricultural industry, to withdraw laborers from employments to which they have been accustomed, and train them to pursuits entirely novel. Under most circumstances, the extensive enlargement of production in any branch of agriculture is, therefore, a gradual operation. But the peculiar condition of the southern and south-western States have enabled them to increase the amount of their crops of cotton with great rapidity. Their facilities in this respect, since this culture was introduced among them, has been greatly overlooked by those who may have anticipated a permanent rise of prices from a supply presumed to be insufficient, to satisfy the immense and increasing consumption of Europe. Those States comprehend a vast extent of new and fertile soil, readily acquired by individuals at prices barely nominal, compared with the value of its produce when cotton finds a ready demand. The kind of labor principally employed in this cultivation enables any individual, who can control capital or credit, to command any desirable amount of force. The processes of cultivation and preparation for market, require comparatively a small degree of skill. Accordingly, it is always easy to increase the supply with little delay, to any amount to which the present impetus, whether of a healthful or a factitious character, may stimulate. But it is impossible generally to ascertain beforehand when the supply shall have reached the demand at remunerating prices,—or, if known, to arrest the increase of production at that point. Many other circumstances tend to aggravate the evil of over production after a brisk demand. The profits of the cotton growers are generally grossly exaggerated, not only by themselves, for the purpose of enhancing their importance and increasing their credit, but by most of those employed in other pursuits. Few individuals who newly embark in the business, probably suppose that the same causes which have induced one to engage in it, have probably impelled thousands. The employment to which a person is accustomed, and from which he derives a fair profit, is abandoned in the expectation of realizing a speedy fortune; while those already engaged in the business, from which they have obtained large profits, strain all their energies to extend their cultivation. A supply increased beyond all calculation ensues, and a glut of the market is

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the result. By the ruinous fall of price the recent adventurer discovers, that his anticipated fortune only existed in his own sanguine imagination, and finds, too late, that it is impossible to return, without immense sacrifice, to the former secure business which he abandoned in his haste to be rich.

Such a state of things might occasionally occur, to a certain extent, from mere competition, under an equal and stable system of practical currency. But these evils are aggravated in a tenfold degree from the second source of the influence upon prices, before mentioned. Unlimited power, in effect, if not in form, has been given, both in this country and in that where our cotton finds its principal market, to a few irresponsible individuals, to raise or lower the value of all property, by increasing or decreasing the amount of the circulating medium, according to their own interest or caprice. The facilities of obtaining money, and the temptations to improvident speculations, which are invariably offered by these individuals, until they become alarmed by a call for specie, or are influenced by a wish to effect ulterior designs—when they suddenly curtail their accommodations, and render it impossible for those dependent upon them to fulfil their engagements,—have produced a degree of insecurity in the property of those engaged in commerce, which is destructive to all sober and prudent calculation, as it is to all sound national prosperity and happiness. The past year has witnessed the overthrow of many large fortunes, possessed by worthy and respectable individuals, from this source. They were ruined by being required to fulfil engagements entered into when currency was unduly expanded, and enforced when it was scarce. Most of them were men of great integrity and intelligence, who probably never would have defended the management which occasioned their disasters, had they understood the real causes of their own destruction. A summary notice of the principal facts, attending the recent revulsion, will shew more fully than volumes of abstract argument, the mode and the consequences of the alteration which took place during the last spring—not indeed in the legal standard of money—but in the actual value of our currency.

Throughout the year 1835, and a portion of 1836, the liberality, and even profusion, with which the Bank of England, and the other banking establishments of that country, lavished accommodations upon merchants, manufacturers, and speculators, inflated the paper currency to such a degree that all kinds of merchandise rose to extravagant prices. The common qualities of cotton, which had never, since 1819, exceeded a shilling sterling per pound, and during the most part of the intervening period, had sold at about half that price, actually went up to thirteen pence. This adventitious prosperity was not confined to cotton, but was extended to most other commodities. In consequence of this favorable condition of the

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English markets, they were soon flooded with the productions of other countries. The inevitable result was, that the exchanges with the Continent of Europe turned against England in April, 1836. The first large exportation of bullion was however made on account of a powerful corporation in this country, to the amount of about seven millions of dollars. Though this amount was not drawn from the Bank of England with any view of crippling its resources, or restricting the issues of its paper, but exclusively for the purpose of sustaining the expanded circulation of the institution by which it was brought here, yet it seems to have occasioned a great degree of jealousy on the part of the managers of the Bank of England towards the American merchants, and was, no doubt, one cause of their subsequent illiberal proscription. Soon afterwards the exportation of specie to Amsterdam, Paris, and Hamburg, became so frequent and extensive as to occasion great alarm to the Bank of England, in whose notes the circulation of all the other banking institutions in the kingdom are redeemable by law, and from whose vaults this drain of specie was of course wholly to be satisfied. The disastrous consequences, both public and private, of the suspension of specie payments in 1797, and the horrors of the panic of 1825, were too fresh in the memories of the managers of the Bank to induce them to hazard a repetition of a similar state of things. The return of her notes for specie, to a large amount, of course narrowed the circulation and rendered increased accommodations necessary to the merchants, to enable them to meet engagements entered into in a more abundant state of the currency. But self-preservation compelled her not only to decline the issue of notes upon the discount of commercial paper, except to a very small amount, and at an increased rate of interest, but led to a further measure of precaution for preventing the increased demand for specie, by contracting her circulation in a still greater degree, through the sale of a portion of her public securities. The result of thus suddenly lessening the quantity and increasing the value of the paper currency is but too well known in every part of the civilized world. Several of the most opulent commercial establishments in the British Empire found themselves unable to obtain the means of meeting their engagements, in consequence of this sudden change of policy on the part of the Bank. Those who sustained themselves, were only able to succeed by making enormous sacrifices. So difficult did it become to obtain the circulating medium, in exchange for commodities, that, in the month of May last, Alabama cotton fell, in the Liverpool market, to four pence per pound—a degree of cheapness unparalleled in the history of the cultivation of cotton. What an instructive lesson to the friends of a credit system of paper money banking, regulated by a powerful central institution, is contained in this single fact!

Whether the official returns made by the various banking estab-

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lishments in England corroborate the view we have taken of the expansion and contraction of their circulation, does not in the slightest degree affect its accuracy. In point of fact they clearly establish our inferences. But had such evidence been directly opposed to them, we should consider the fall of price in a great staple like cotton, of which the consumption had maintained its usual ratio with the production, to one-third part of its former rate within a few months, to be more conclusive proof of the extent to which currency had been made scarce, than returns from whatever source. When many individuals, possessing the highest character and most extensive property, fail in meeting their engagements, after making the most strenuous exertions, wholly from the impossibility of obtaining a sufficiency of the ordinary circulating medium, it would be difficult to satisfy any person, of common discernment, that money is as plentiful as ever in the general channels of business. It might as well be asserted that the whole world is shrouded in darkness at noon day, because an individual chooses to shut his own eyes—even though that individual may be a Senator of the United States.

We would not be understood to join in the vulgar epithets which have been cast upon the Bank of England for adopting measures absolutely essential to her preservation. A rigid restriction of issues while the notes were daily returning for specie, was, in the then existing state of her stock of bullion, a step of imperious necessity. In this act the Bank cannot be charged with any wanton infliction of distress. It would, indeed, be the height of absurdity in such an institution as the Bank of England—the pivot upon which all the monetary affairs of the British Empire turn—to produce, wilfully, such a state of things as prevailed in the great marts of that kingdom a few months since. But our exculpation goes no further. In the earlier stages of its proceedings there must have been the grossest mismanagement on the part of the Bank, or the system of which it is the heart, from which the vital current flows, is destructive of all commercial security. Whether the inflation of prices, by means of a redundant issue of paper, is to be attributed to the system, or its management, or, as we believe, to the combined influence of both, it is not our object to discuss here. If there must be a paper currency—and it is certainly convenient for extensive commercial transactions—it would seem to be proper that those who enjoy the power of increasing or contracting its amount and consequent value,—a power greater than that of any autocracy that human nature in the most ignorant ages has ever been willing to submit itself to,—ought, at least, to be made in some way responsible for its abuse. Its practical operation is felt in every quarter of the globe. Twenty-four private merchants in London exercise the actual power of raising and depreciating, according to their will and pleasure, the marketable value of all property throughout the commercial world—

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for the prices in England influence materially those of every other country! How far, however, the beam in our own eye entitles us to reproach England for upholding such a system, 'must give us pause,' when we reflect upon the number and power of the banks of our own country.

The explanations we have given of the operations of the Bank of England, furnish, in connection with the still greater expansion of our own paper money system, an ample clue to the crisis which has occurred to the cultivators and dealers in cotton, in this country. It has affected, to an almost equal extent, all other classes of our community. The enormous system of overtrading, into which both banks and individuals, throughout the United States, were embarked, had involved almost every one engaged in the active pursuits of life. The improvident accommodations granted by many of our banks were only surpassed in extravagance by the absurd manner in which a great portion of these loans were invested. Suddenly unlimited confidence, unhealthily swollen, gave place to universal distrust. To meet this change, the banks of this country adopted a course of policy, totally different from that of the Bank of England. Instead of compelling their debtors to sacrifice their property, for the purpose of sustaining themselves, our banks generally preferred to submit to the mercantile disgrace of discrediting their currency—we were about to add, the moral ignominy of refusing to perform their sacred obligations, but are checked by the recollection that corporations, having according to the highest legal authority no souls, and are of course destitute of the moral sense. The community were compelled not only to pay the interest which the banks enjoyed from its issue; but to suffer the loss of its depreciation below the legal standard.

Some circumstances peculiar to the state of the currency in this country, exercised unquestionably great influence upon our banks, in adopting this humiliating alternative. A brief outline of these facts will greatly add to the instruction to be derived from the different course of the Bank of England.

The Bank of the United States originally chartered by Congress, and rechartered by the State of Pennsylvania, exercises a power over the actual currency of this country, nearly analogous to that of the Bank of England over the currency of the British Empire. The influence of the latter, from its intimate connection with the public finances, is somewhat counterbalanced by the vastly greater proportion of metallic money in general circulation in England, compared with the amount used in this country, since the Bank of the United States was originally chartered. The practical currency here, is almost exclusively the paper of banks, except for the purposes of small change. The Bank of the United States, from its extensive connections and the general confidence which it has enjoyed among

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those engaged in commerce, receives and pays out in its transactions an amount of currency, perhaps nearly equal to that of all the other banks, if we consider the business of the institutions dependent upon it as a part of its operations. Under such circumstances, it must be obvious to every one conversant with such affairs, that it is always in the power of the Bank of the United States to compel the other banks to follow a similar course of contraction, when all bank notes are redeemed in specie, should it choose to adopt that line of policy, as well as to enable them to enlarge their circulation, by forbearing to return their currency for redemption. In laying the new charter from Pennsylvania before the stockholders for their acceptance in 1836, the president of the Bank of the United States expressly claimed the power we have described as one of the advantages belonging to the institution.

President Jackson, who was well conversant with all the questions of currency which had affected the security of property in this country, from the era of the revolution, felt it to be his duty to the people of the United States, when the bill from Congress, rechartering the bank, came before him in 1832, to interpose his constitutional veto. He had seen the effects of the disturbing influence of this institution upon the industry and prosperity of the country, exercised on several occasions in the manner we have lately seen done by the Bank of England. With the combined object of mitigating the mercantile inconveniences which might result from a sudden change in the financial policy of the Government, and of assisting the other institutions from which the existing paper currency was derived, to bear up against the gigantic effort which the Bank of the United States stood just prepared to make, to force a recharter, he directed, in the summer of 1833, that the subsequent deposites of public money be made in State Banks, in anticipation of the expiration of the charter of the Bank of the United States in March, 1836.

On this occasion the power of the Bank of the United States over the other banks was signally exhibited. By its severe contraction, they were compelled to curtail their issues, which its example had tempted them to expand, to such an extent as to occasion a fearful distress for money throughout the community. And when, between January and July, 1835, it enlarged its accommodations twenty millions of dollars, most of the other banks followed its example in again expanding to a large amount, with the additional stimulus of the public deposites accumulating with unparalleled rapidity.

The inordinate rise of prices occasioned by the great abundance of currency put into circulation by the banks, was supported and still further stimulated by the correspondent course which we have seen was adopted in England. The average price of cotton here rose from thirteen cents in 1834, to sixteen and a half in 1835, and to eighteen cents per pound in 1836. In England it advanced from

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eight pence half-penny in 1834, to a shilling in 1835, and thirteen pence in 1836.

The vast sales of public lands, and the excessive importations of foreign commodities, which this state of things produced, greatly increased the public revenue beyond the necessary expenditures. The large amounts of public money of which the use was enjoyed by the few banks employed as depositories, excited a general feeling of dissatisfaction among those who thought its benefits should be more equally distributed. A law was passed by Congress in the summer of 1836, directing that all the public money, excepting five millions of dollars, which should remain in the Treasury of the United States, at the close of that year, should be deposited with the several States, and in the mean time, should be divided among the banks in such a manner that no one should hold more than three-fourths of the amount of its capital.

As the public money nominally placed in the existing deposite banks had been loaned by them, and was mainly held in the shape of obligations against the individuals who had borrowed it for investment, under the expectation of realizing large profits from the continued rise of prices, it was predicted by many that the recal of these loans for the purpose of paying over this public money could not fail to create a severe pressure upon the banks and their debtors. This was evidently foreseen by the Bank of the United States, and probably induced that bank to make the first grasp at the stock of bullion held by the Bank of England, by drawing from it early in 1836 the large amount of specie we have already mentioned.

The collection and transfer of the large amounts required by the law, fully realized the difficulties which had been anticipated. The withdrawing such sums from the ordinary channels of trade, and placing them by rigid enactment in sections of the country, and into a custody where they could not enter with facility into the operations of commerce, had a powerful tendency to derange the rates of exchange betwen the different sections of the United States, and to lessen the supply of currency at those great points where the public money had been mostly accumulated. The transfers from the banks holding a larger amount than they were authorized by the law, and the necessary preparations for paying over the first instalment to the States, in January, 1837, created an intense demand for money, both at New York and New Orleans, during the autumn of 1836. The high credit which the merchants of this country enjoyed in England, and liberal prices which our cotton and other staples bore in that market, induced many of them, no doubt, to resort to the expedient of drawing on their correspondents in that country as a means of temporary relief. Many of these bills returned under protest for non-payment, in the spring of last year, and greatly increased the pressure occasioned by the direct operation of the deposite law.

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Much has been said and written upon the order issued by the Treasury Department, in July, 1836, requiring a literal obedience to the law which provides that all purchases of public lands, shall be paid for in cash,—for the purpose of repressing improvident speculations, by prohibiting as far as possible the transmutation of the public domain into credits in the banks, through the profuse accommodations which they had evidently given to the purchasers; this order was unquestionably salutary in its influence both upon the banks and the general state of the currency. Its effect was, however, enormously overrated. As the specie paid into the bank by the receivers, might be instantly loaned to new purchasers, the amount actually required to carry on the operation was small, compared with the aggregate of the purchases of public lands after it took effect. Had the Treasury Department been then empowered, not only to require the payments for public lands to be made in the lawful currency, but to have compelled the banks in which it was legally deposited, to keep the identical specie which belonged to the United States until it should be required for the public service, instead of loaning it out for profit to new purchasers, such an arrangement would, no doubt, have afforded an effectual check to the headlong course both of the banks and individual speculators. Under the practice which prevailed, however, every new deposite but served as the basis of new accommodation, without the necessity of any considerable accession to the amount of specie in those States where public lands were on sale, after a sufficient sum had been obtained to put the system into operation, which never exceeded the comparatively insignificant amount of two millions of dollars. The Treasury order, accordingly, did not produce so great a demand for specie as has been generally believed. The distrust of the banks in the management of each other, gave rise to the greater part of the increased calls upon them. Both these circumstances together do not appear to have caused any considerable importation of bullion from England after the Treasury order reached that country. The returns of the Bank of England show that it was the exportation to Amsterdam, Paris and Hamburgh, as well as the United States, which alarmed the Bank of England a considerable time before that order arrived there, and occasioned the adoption of those restrictive measures upon her circulation, which resulted as they were designed, and as we have explained, in bringing the exchanges in her favor, through a ruinous reduction of prices.

Upon the payment of the first instalment deposited with the States, in January, 1837, the embarrassments of the banks, and their mutual want of confidence, visibly increased. The deposite law required upwards of thirty-seven millions of dollars to be paid by the banks to the States, within the term of nine months. The payment of the first quarter part of this sum, rendered such severe

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curtailments necessary, especially in New York, where a large proportion of the surplus had been deposited, that the banks in other cities deemed it proper to provide for their own security. Early in February specie to the amount of about two millions of dollars was drawn from the banks of New York by those of Philidelphia—a great part of which went to the Bank of the United States. Currency soon became so scarce in March, that the ordinary rate of interest in Wall street, was from three to four per cent. per month. It was stated at the time, upon high authority, that upon sudden emergencies, even five per cent. per month was paid upon the security of good stocks.

A similar pressure existed at the same time at the commercial emporium at the other extremity of the United States. Early in March, some of the largest cotton houses at New Orleans were compelled to suspend payments, which immediately produced suspensions in New York, and in other commercial cities for vast amounts. The course of transactions pursued by many of the most respectable and wealthy commercial establishments in the south western States, had rendered it impossible for them to sustain themselves under the continual curtailments which the banks had been compelled to adopt under the deposite law. The abundance of currency in 1835 and 1836, which the operations of the Bank of the United States had produced with the co-operation of the local banks, had rendered cotton planting profitable beyond all former example. The credit of those engaged in this cultivation became almost unlimited. The profits of those engaged in the exportation of cotton to Europe were also enormous. Several merchants, for the double purpose of securing and increasing these profits, had adopted a general practice of making large advances to established planters, as well as to new adventurers in the business. Many instances occurred, where individuals destitute of actual capital received accommodations from the banks, through these merchants, to a sufficient amount to enable them to purchase and stock large plantations, at high prices, solely upon the pledge of anticipated crops. This improvident system, wholly based upon an undue expansion of the the paper currency, had nearly exploded, under the curtailments required by the deposite law, before the information of the fall of prices in England reached this country. When this news came, both the banks, and the individuals dependent upon them, were involved in the deepest embarrassment.

The speculations in eastern and western lands, and in city lots, which were entered into in other sections of the United States, rested upon a more slender foundation of secure profit, than even those which took place in the south-western States. When it became authentically known that the price of cotton had suddenly and greatly declined in England, and that the leading American houses

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in that country, were in a state of great distress, from the difficulty of meeting their acceptances, the exportation of specie became inevitable. From unwillingness to shake public confidence in the banks, specie was at first drawn from them, for the purpose of remittance, in small sums, by persons employed for that purpose. It soon, however, became obvious that this course would be pursued by many merchants, who possessed the means and were determined to sustain their credit at all hazards. To avoid being deprived of their metallic resources, the banks of New York determined to refuse the payment of their obligations in specie. This example was followed by most of the banks throughout the United States, and immediately banished all coin from circulation. It became a commodity worth in the market from ten to twelve per cent. above the debased currency in general use. The suspension of specie payments by the banks in New York, had, indeed, been anticipated by some of the banks in the South-west.

This measure was obviously a measure of relief to the banks and their debtors, at the sole expense of the public at large. This breach of their obligations to the community was justified at the time by the necessity of preventing the exportation of specie. The public generally submitted to the losses and manifold inconveniences of a currency avowedly depreciated for the accommodation of the banks and their debtors, upon the ground that a temporary suspension,—until by the exportation of our staple productions, our merchants could re-establish their credit abroad and bring down the rates of foreign exchanges,—would enable the banks to resume their duties to the community. No one then undertook to defend the suspension by suggesting that its continuance would enable the banks to realize the great profits derived from their previous operations by giving their debtors an enlarged period for the re-payment of their accommodations. Though foreign exchanges have been for several months in our favor and no specie can be exported to Europe but at a considerable loss, the banks which effectually control the actual currency of the country have as yet manifested, with a few honorable exceptions, no very serious indications of immediate resumption. The motives which influence their managers—whether political or pecuniary—remain open, in the absence of all satisfactory explanation, to such inferences as the public who are the actual sufferers may choose to draw. The payment of obligations entered into when currency was profusely plentiful, at any time after it shall have been greatly diminished in quantity and consequently increased in value, must occasion great distress. It is an evil incident to the system of practical currency which has been so extensively adopted both in this country and in England. Its unjust operation in this respect calls loudly for reform. The young and enterprising who were a short time since exerting themselves to acquire a competency for future enjoyment,

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as well as the old and careful who had endeavored to preserve the hard earnings of former times, for the solace and comfort of those near and dear to them, are alike overwhelmed by the sudden changes which take place—not indeed in the standard of legal value—but in the supply of actual currency.

Unhappily we are not without bitter experience on this subject. Within the period to which we have referred, a state of things occured in our own country from a system of management principally among our own banks, corresponding in its essential features with that which we have endeavored to describe, and produced results nearly as disastrous as those under which we are now suffering. The Bank of the United States was chartered by Congress in 1816, and went into operation on the first of January, 1817. During that year the average price of cotton was 26½ cents per lb. The great amount of currency issued by the new bank, added to that previously in circulation, diffused a general spirit of enterprise and apparent prosperity throughout the country. The plentifulness of money produced of course a general rise of prices. In 1818 the average price of cotton was 34 cents per lb. The great liberality with which accommodations had been given by the new bank, and the general commercial confidence which its operations inspired, had, as on all other occasions, induced other banks to follow its example. Large investments were made in the southern and south-western States for the purpose of extending the cultivation of cotton. Speculations of all kinds were in a most thriving condition, until the Bank of the United States found itself upon the eve of stopping payment. To avert this calamity it was not only compelled to curtail its accommodations to a great amount, but to call upon all the local banks from which balances were due either to itself or its branches to make immediate payment. Orders were also given to each of the branches to receive on deposite, or in payment, no notes of the Bank of the United States excepting such as were made payable on their face at such branch; and the bank at Philadelphia refused to receive any notes made payable at the branches. The collectors and receivers of the public money were informed that no curreney would be received from them except specie and notes of the Bank of the United States.

The consequence of this sudden change of policy which occurred in the latter part of 1818, was a terrific revulsion throughout the United States. The markets for cotton abroad, not being affected by our domestic calamities in any considerable degree, fell in price less suddenly than most other commodities. In 1819 it fell only ten cents per pound, while flour and most of our other staples declined in a much greater proportion. This change in the value of currency, which could neither be foreseen nor guarded against by the public at large, ruined thousands in every part of the United States. The

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exportation of cotton in 1820 being nearly double that of the preceeding year, the markets were overstocked, and prices declined, in England. In this country the average price of cotton fell to 17 cents per lb.—just one half of the rates of two years before. The exportation of 1821 was less than that of 1820 but at still declining prices. The cotton planters underwent a further depression, the average prices being in 1823 only from 10 to 12 cents per pound, until their prospects were brightened for a brief period in 1824 and 1825 by the advance of prices in England which resulted in the state of things so well known, in financial history, as the PANIC which occurred at the close of the latter year.

The preliminary measures by which this celebrated era was brought about, were precisely similar to those we have already had occasion to describe above. Perhaps the relative expansion of the English currency was somewhat larger in 1824 and 1825 than in 1835 and 1836. However this may be, it is certain that the number of individuals who embarked in improvident speculations in England were more numerous at the former period, and the disastrous consequences of suddenly increasing the value of money by narrowing the circulation from the general failure of the banks in that country, were more extensively felt. The Bank of England itself, according to the evidence given by several of its directors before a committee of the House of Commons in 1832, escaped the destruction of its credit on that occasion by mere accident. A most remarkable similarity in the general progress and results of those speculations occurred in this country, but moreover, the Bank of the United States, according to the statement of Mr. Biddle, was saved from the suspension of specie payments in November 1825, not exactly by an accident, as was the Bank of England in December of the same year, but by the president of the bank going in person from Philadelphia to New York, and prevailing upon an individual who had determined to take from it an amount of specie which would have caused its stoppage, to accept instead of coin, a draft upon New Orleans, whither he proposed to carry it. In consequence of these speculations the average price of cotton rose in this country to fifteen cents per lb. in 1824, and to twenty-one cents in 1825. In 1826 it fell to the average price of eleven cents per lb., and in 1827 to nine cents and a half. After the details we have given, and under the experience which we all have more or less felt of the consequences of such a revulsion, we may be spared from enlarging upon the overthrow of the hopes and fortunes of individuals by this repetition of the melancholy scenes of 1818, 1819 and 1820.

The disasters of the year 1828, though deeply felt in the cotton growing States, did not produce so much immediate distress, or such wide spread destruction of property among them, as among the manufacturers of the northern and middle States. It therefore belongs

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more especially to our future account of the manufacture of cotton in the United States. This revulsion, in common with all others which have exposed the security of property to such severe shocks, was wholly caused by the gradual expansion and sudden contraction of the circulating medium. It does not appear to be necessary to pursue this narrative of the fluctuations of value which have from time to time so materially changed the burthen of fulfilling contracts among all classes of society, with a peculiarly pernicious influence upon the cotton interest, since events so recent may be presumed to be within the memory of all our readers.

Our object has been chiefly to illustrate, in connection with the financial point of our subject, the causes of the astonishing and pernicious fluctuations in price which cotton has undergone at different periods in the history of its culture in this country. The principal cause, has, undeniably, been derived from the action of the two great banking institutions which have existed in the two countries, our own and England; upon the paper money currency of commerce and which have possessed, and on various occasions most fatally exercised, the power of regulating prices and commerce according to their own views, with a control as irresistible as it has been irresponsible. How deeply the whole vast cotton growing interest of the country is concerned, in a peculiar degree, in the reformation of a system of currency and commerce, based on the excess and abuse of the great natural principle of credit, it is not necessary for us to urge. The developements of every day attest more and more clearly, that correct ideas on this subject are now extensively prevalent throughout the south and south west, as even to promise to absorb all the minor party animosities by which it has heretofore been distracted. Every day is spreading wider and wider the understanding of the principal cause of the comparative depression in which the south has been sunk, notwithstanding the possession of so rich a mine of prosperity and wealth in its cotton culture. After the experience added by the recent convulsion of our credit currency to that of former periods, alluded to above, it will scarely be willing again to submit to the continuance of a system of perpetual artificial fluctuations in value so utterly subversive of its essential interests, without at least the application of every practicable reform tending to remedy the evil, by steadying the currency and diminishing the irresponsible control of private corporations on which it has been heretofore entirely dependent.

These general remarks on the paper currency have grown necessarily out of the subject of the cotton culture in this country. It is true, indeed, that they have a similar bearing upon all our other productive interests, though from the paramount magnitude of this, the great basis of our foreign commerce, they are now emphatically applicable to it, while it illustrates the more strongly the fatal operation of the evil principle referred to.

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Amos Kendall

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POLITICAL POR[illegible]

[illegible]

Our [illegible] has been exce[illegible]
sent political portrait. [illegible]
[illegible] to those who do not [illegible]
[illegible] as faithful as it is [illegible]
Mr. Kendall's present [illegible]
by the mere force of [illegible]
a uniform political [illegible]
[illegible] circumstances [illegible]
[illegible] the country [illegible]
its youth the salutary [illegible]
[illegible] history. As a lesson [illegible]
the most effectual means [illegible]
[illegible] enemies, to the great [illegible]
[illegible] has been led to perpetrate [illegible]
[illegible] the person and character of a [illegible]
and life present a [illegible] refutation of aspersion.

Mr. Kendall was born August, 16th, 1789, [illegible] Massachusetts, on the plain and hardly yeomanry [illegible]
the sixth of twelve children [illegible]
stable is a township of [illegible]
votes; and the [illegible] of
the fact that to [illegible] never [illegible]
Doctors, [illegible] have often made [illegible]
simple habits, but were soon [illegible]
ever [illegible] [illegible]
[illegible] to the [illegible] England,
they have [illegible] supposed [illegible]
is remarkable [illegible] Mr. K[illegible] now being at
the age of [illegible] six years [illegible]
at the age of seventy-six, on the [illegible] his [illegible] and
grandmother [illegible] where, after
[illegible] peacefully at the foot of
[illegible]
numbered [illegible] and the latter [illegible]
Many of the [illegible] of the vicinity have lived [illegible]
and several [illegible] exceeded ninety. To the hereditary [illegible]
constitution, [illegible] to be derived from such a stock, [illegible]

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

(No. IV.)

AMOS KENDALL.

Our artist has been exceedingly happy in his part of our present political portrait. The etching on the opposite page will exhibit to those who do not know the Post Master General, a representation as faithful as it is spirited, of his contour and appearance. Mr. Kendall's present position is one of the proudest ever won by the mere force of personal character and talent, working out a uniform political principle, and deriving not the smallest aid from adventitious circumstances of any description. And we feel that we can do the country no more essential service, than to place before its youth the salutary example and stimulus of Mr. Kendall's striking history. As a lesson at once impressive and instructive, and as the most effectual means of opening the eyes of Mr. Kendall's political enemies, to the great wrong and injustice which their blind hostility has been led to perpetrate, in defaming with perpetual insult and untruth the person and character of a man whose whole history and life present a living refutation of aspersion.

Mr. Kendall was born August, 16th 1789, in Dunstable, Massachusetts, of the plain and hardy yeomanry of that secluded district, being the sixth of twelve children, three of whom were daughters. Dunstable is a township of farmers, giving about a hundred and twenty votes; and the character of its population may be estimated from the fact that they have never had a lawyer residing among them. Doctors, too, have often made the experiment of its healthy air and simple habits, but were soon starved out, and left it in despair of ever getting a patient. Until recently they have had no merchant, and scarcely ever a pauper, but, true to the instincts of New England, they have generally managed to support their preacher. The place is remarkable for longevity. Mr. Kendall's father is now living at the age of eighty-five, his mother having died about six years ago at the age of seventy-six, on the spot where his grandfather and grandmother had 'settled down' at their marriage, and where, after climbing life's hill together, they lay down peacefully at the foot of its gentle descent, in the full ripeness of honorable old age—having numbered, the former eighty-four, and the latter eighty-five, years. Many of the old residents of the vicinity have lived to a like age, and several have exceeded ninety. To the hereditary strength of constitution, naturally to be derived from such a stock, is doubtless

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to be attributed Mr. Kendall's ability to endure, in his depressed state of health, the extreme, unrelaxing severity of his present official labors. His parents were from early life professors of religion, and none were ever more true in their uniform way of life, to their profession. Such was the neighbourhood, and such the home influences, in the midst of which the early years of the subject of the present sketch were passed.

Mr. Kendall was, as matter of course, raised to labor on his father's farm. His opportunities for education in early boyhood, were the same as those of other farmer's boys in that region, consisting altogether of the country free schools. Before he was old enough to render his labor valuable on the farm, he went to a 'woman school' each summer for about two months, and to a 'man school' in the winter for about the same length of time. But after attaining the age of eight or ten years he could no longer be spared at all in the summer; and soon afterwards, his elder brothers leaving home, he was not able to enjoy the advantage of even this rudimental schooling, for several seasons, for more than from four to six weeks in the winter. It may well, however, be questioned whether this neglected and piecemeal mode of picking up an education, so common among the hardy and true-hearted yeomanry of our country, is not far preferable, in its ultimate influence on the formation of character, to the hot-bed system so much in practice in our cities, of which the effect is too often, not only injurious in a physical point of view, but enervating to the mind by too precocious developement, so as to plant early and deeply the seeds of mental and moral disease, the evil effects of which remain perceptible through life. He from the earliest age evinced an earnest thirst after information, and remarkable facility in its acquisition; and his case seems to deserve to be cited among the many already on record as examples, to the young and unfortunate in circumstances, of the pursuit of knowledge under difficulties. He was fond of school, obedient to his teachers, and assiduous in his studies, and at home devoured eagerly every thing of interest that he could get within his reach, and in his way. There was a small library in the township, all the works in which having reference to geography, history, science and general literature, he read through before he was fifteen years old. In the summer his father allowed his boys a rest of about two hours in the middle of the day. This intermission of labor, as also the long winter evenings, he applied to reading.

His taste for books and his rapid progress attracted attention and remark, which made his father desirous of giving him a more liberal education; but he had not the means without straitening severely the circumstances of the rest of the family. He, however, offered his son his time—a parental favor not slight in importance and value—with all the aid he could justly give, if he thought proper to make the effort. The offer was accepted, and in the Fall of 1800 he spent

about eleven weeks at New Ipswich Academy, boarding with a brother and paying for his board by manual labor night and morning. In the winter he retired home and attended the free school. The next Summer he spent at New Ipswich Academy, paying for his board as before. The next Winter, being then sixteen years old, he taught a free school in North Reading, Massachusetts, three months, for which he received his board and thirteen dollars a month, and with the money thus acquired he went to Groton Academy, Massachusetts, the next season, and in August, 1807, entered the Freshman Class at Dartmouth College, New Hampshire, being examined and admitted by one of the professors who passed through Groton. But he was obliged to spend the Fall term at home for want of means, and in the Winter taught two schools about six weeks each, one in Dunstable, New Hampshire, and the other in his native town. With the money thus acquired he went on in the Spring and re-entered the class, having taken care to keep up with them in his studies while absent. The next Fall, and the next, he was obliged to spend at home in like manner, and again earn by school-teaching, at sixteen dollars a month, the means of living at College the next Summer. His Senior fall term was the only one, a part of which he spent at College; but an absence of four months in school teaching at twenty-five dollars per month, that Winter, forfeited his connections, and required him to enter again the next Spring. Thus did he enter College five times in the four years, and went through eight examinations, one each year to enter the class, and another to re-enter it after having forfeited his connections by absence, presenting a remarkable instance of perseverance and zeal in the pursuit of education.

This class consisted of about sixty young men, many of whom were distinguished for talents. In the Sophomore year he received the fourth honor, notwithstanding his absence half the time. The honors for the Junior year were conferred by a vote of the class, who assigned to him the first,—it is believed unanimously. On graduating he received the first honor from the authorities of the College.

In his Sophomore year, Mr. Kendall was exceedingly unpopular with his fellow students. With a few other resolute young men, he set his face against the practice of treating and drunken revelry when appointments were given out, and on quarter days. A tremendous excitement grew out of the attempt to suppress this practice, and the number who dared to persevere was only about sixteen, out of about one hundred and fifty students. Their names were written on the walls with opprobrious epithets, their doors were broken open in the night, their windows were fired into, themselves insulted and shunned, and all the malicious arts of persecution practised, which will be familiar to the recollection of most of our readers, who have

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passed through college. In short, college is but the world in miniature, and those who undertake the reform of our pleasant vices are exposed to about the same fate in the one as in the other. The incident is worth mentioning only from the analogy which it presents, on a smaller scale, to Mr. Kendall's subsequent career, and the influence which it may be presumed to have had on the formation of his character. Among this proscribed band, he was, perhaps, the most conspicuous. His name with all sorts of appendages covered the college walls; and on one occasion a billet of wood was thrown at him from an upper window, which, if it had not missed its aim, might have saved the later enemies of his manhood many bad feelings and worse acts and language. He appeared, however, to take no notice of all these things, firmly pursuing the course on which he had determined, as the right, without uttering a complaint, or even attempting to discover the individual authors of these injuries. That course was completely triumphant, and in less than two years many of his persecutors were among his best friends, and the foremost to do him justice and honor.

Other occasions of a similar character occurred in that little world, the College, which gave him, though late from the plough, a tolerably accurate idea of the materials of which the great world of mankind is formed.

Having finished his collegiate education, at the age of twenty-two, Mr. K. was about to resort to school-keeping, to obtain the means of studying a profession. His purpose was made known to William M. Richardson, Esq., now the able and most estimable Chief Justice of New Hampshire, then living in Groton, Massachusetts, who advised him not thus to waste the flower of his life, and offered him the use of his office and books, together with his instruction, and even board in his own house, without any present recompense, if he chose immediately to enter upon the study of law. So generous and advantageous an offer could not be refused; and in the Fall of 1811, Mr. K. commenced the study of law with Mr. Richardson.

In 1812, the second war with Great Britain commenced, and the business of the over-stocked profession was so thoroughly depressed, as to leave a young lawyer in New England, without money, family, or friends, to aid him, almost without hope of support. In 1813, therefore, Mr. Kendall determined to seek his fortune in the south or west. In February, 1814, he bade adieu to the land of his nativity, and came to Washington, where his friend Mr. Richardson then represented Middlesex district in Congress. Here he spent a week, making inquiries and determined to go to Kentucky. Travelling in the stage to Pittsburgh, he found himself in company with Governor Cass, with whom he was recently associated in the cabinet. The only letter he had for Pittsburgh, was to the Hon.

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William Wilkins, whom he met again at Washington, in 1829, as a Senator. At Pittsburgh he fell in with the Hon. W. T. Barry, late Postmaster General, and descended the river with him in the same boat to Maysville, Kentucky, little dreaming that he was destined to be his successor in the office of the Postmaster General. Thence he went down the river as far as Cincinnati, and after spending a few days there, travelled on foot to Lexington, Kentucky, there being at that time not a stage running in the western country beyond Pittsburgh.

A few days after his arrival in Lexington, accident made him acquainted with Mrs. Clay, the lady of the Hon. Henry Clay, then absent in Europe, who offered him his board, the use of Mr. Clay's library, a salary of three hundred dollars, with the prospect of Mr. Clay's powerful assistance in his profession on his return, if he would take charge of the education of her children for one year. The offer was thought to be a most favorable one, and was gladly accepted by our young and talented adventurer. The year expired, and the time of Mr. Clay's return was entirely uncertain. Mr. K. was now over twenty-five years of age; had obtained a license to practice law; and though pressed by Mrs. C. to remain in her family, felt that it would be too great a sacrifice to delay the commencement of business another year for the uncertain aid which Mr. Clay might have it in his power to afford. He accordingly left Mr. Clay's, and settled in Georgetown, Kentucky, in the spring of 1815. Visiting Lexington on business, in the summer of 1815, he was seized with a bilious fever at a boarding-house, and, while getting well, spent two or three weeks at Mr. Clay's, that gentleman not having yet returned home; where Mrs. Clay treated him with the utmost attention, for which kindness he has always since expressed a most grateful recollection.

What degree of truth there is in the common stories, to which party rancor has given birth and circulation, of ingratitude to Mr. Clay, in a subsequent political opposition, on the ground of early assistance and dependence upon his favor, the reader may judge for himself from this simple narrative of facts. Mr. Kendall never received any aid or favor from Mr. Clay, whom he never saw till a year after the completion of his engagement as a tutor in his family. Mr. Clay had not yet come home.

Mr. Kendall resided in Georgetown about a year and a half, during which he was appointed postmaster, and obtained a sufficient professional practice for his support. During this time he had attracted much notice for the vigor and nerve of his pen, as editor of a newspaper published in that place, particularly by his attacks upon the Bank of Kentucky, for not resuming specie payments; and in the fall of 1816, he received a proposition to remove to Frankfort, and take charge of the editorial columns of the Argus,

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which he accepted. This threw him at once upon a broader theatre, and he became immediately deeply involved in the political controversies of the times, which were unexampled in their bitterness and violence. As early as 1818, '19 and '20, he called in question and thoroughly discussed the constitutionality and expediency of a bank of the United States. He opposed with all the power of his pen the relief measures of Kentucky, always maintaining that it is better for the community, in the end, to let commercial revulsions spend their fury at once, rather than by tampering with the remedial laws, impair the respect which men ought to pay to their contract obligations, demoralize society, break up public confidence in the stability and justice of the laws, and derange all business which depends on a just and wholesome credit. He was opposed to the establishment of the forty odd independent banks, and to the Bank of the Commonwealth. He was in favor of the repeal of the act establishing the former, as being destructive of the best interests of the State, and not called for by the popular will. He became a director of the latter, for the purpose of arresting, as far as practicable, the apprehended evils. Two to three millions of paper dollars were to be issued with nothing to sustain their credit, but a limited demand to pay State dues, and the principal and interest of the sums borrowed. It was to be loaned proportionally to the population in each county, in sums not exceeding by law, $1,000 each, and, in fact, in sums not exceeding $500, creating a fearful army of debtors. Two imminent dangers were to be apprehended—one that the paper would so depreciate as to be a dead loss to the community—and the other, that the army of debtors, through their power at the polls, would relieve themselves by destroying the system. To create a steady demand for the paper, and reach the amounts loaned so gradually that no debtor could make reasonable complaints, Mr. K. proposed and procured the adoption of a standing rule, requiring a curtailment in all cases at the rate of one per cent. a month on the amount of each loan, until it should be extinguished. The steady and silent operation of this rule, reduced the notes of the paper machine in circulation until they became nearly equal to specie, and enabled it to wind up without any serious loss to the community. There can be little doubt, that had it been managed as other banks are, making calls of ten or twenty per cent. at a renewal, the whole affair would have exploded.

Mr. K. had been the zealous advocate of a system of common schools; and, with the aid of his friends, procured one-half the net proceeds of this bank to be set apart to institute a school fund. Under a plan introduced by him, the fund as it accumulated was loaned out, and the interest added to the principal; and while he remained in the bank it accumulated to upwards of $200,000. But other counsels obtained the ascendency, and first the interest on

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the school fund was taken to pay the expenses of the Government; and, finally, it is believed, the funds itself merged in the other funds of the State.

Though opposed to the relief measures, Mr. K. did not doubt their constitutionality; and when they were attacked on that ground, he was found acting with the relief party. This threw him upon the side of what was finally called the New Court Party, which was signally overthrown in 1825; and though it recovered, to some extent, in 1826, could not prevent the power of the State passing into other hands. Mr. K. has often said, that his party, though right in principle, deserved to be beaten in 1825, because they resorted to a strong revolutionary measure, without first discussing it before the people, and obtaining their assent.

But the victory was rendered almost bootless to the other party by their violence and proscription. So far the State had been absorbed in its own concerns; but now general politics began to form an element in its agitations. The old judges, in pursuance of a pledge made by them during the contest, resigned; and being renominated to the Senate, were rejected, a majority of that body being then opposed to President Adams, and new men were appointed in their places. The New Court Party had felt the power of the general administration against them, and almost to a man came out for General Jackson. On this question a portion of the Old Court Party joined them, and, in 1828, the power of the State reverted to the hands of those who had controlled it prior to 1825.

Mr. K.'s controversy with Mr. Clay, and the manner in which he handled his distinguished adversary, are matters of history on which it is not necessary to dwell. It ended in his bearing to Washington the vote of Kentucky for Andrew Jackson—a complete and appropriate triumph.

Much of Mr. K.'s editorial labors was devoted to advocating common schools and internal improvements. On the former subject he saw them approaching a happy consummation, when all was swept away by the successful violence of faction. On the latter subject, he wrote many essays to show that, from her peculiar geology, Kentucky could never avail herself of canals to any considerable extent, and that the only mode in which her interior waters could be made useful for navigation at all times, was by dams and locks in her rivers—a mode which has recently been adopted.

Mr. K.'s leading rules as an editor were never to state as a fact that which he did not believe to be true, to let no consideration prevent the correction of a mistake when clearly ascertained, and to let no denunciations, threats, or personal violence, drive him from his course. Within the first four or five years of his residence in Frankfort, many attempts were made to commit violence on his person; but on no occasion with results calculated to be very satis-

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factory to the assailants, and at last, seemingly from the uselessness of that mode of party warfare, all such attempts were abandoned; and, for the last seven years, he was in that respect unmolested. It was the policy of a party to decry his paper as being the vehicle of falsehood, but they avoided specifications. After he left Kentucky, a friend of his, in repelling those attacks, gave public notice that he would give ten dollars a piece for all such instances, when pointed out, and would furnish a file of his paper to enable any one of his assailants to make the search. The reward was never claimed. It is probable that no newspaper ever had the confidence of its subscribers more completely than the Argus, under Mr. K.'s able and vigorous management.

At the session of the Legislature in 1828–9, the public printing of the State, which had been taken from him in 1825–6, was restored. The Argus had held this appointment, in whole or in part, from 1816 to 1836.

Early in 1829, Mr. K. was appointed Fourth Auditor of the Treasury by General Jackson. With what fearlessness he overhauled the corruptions of that office, and how, for a time, he was abused for it, is well remembered.

His fidelity there, and in every station where he was ever employed, the remarkable clearness and energy of his mind, its method and love of order, the firmness of his character, and inexhaustible capacity for business and mental labor, turned the thoughts of General Jackson (one of the most sagacious judges of men) upon him as a proper person to retrieve the affairs of the Post Office Department, plunged into a chaotic state of disorder from the effect of long established false principles and methods of business; to which he was appointed on the first of May, 1835. The country knows how like magic that department rose, under his assiduous attention, paying off its debts, and in a little more than two years nearly doubling its field of usefulness. It is Mr. K.'s principle, that "TIME" is *money to the merchant* and *intelligence to the community*. He is in favor of sending communications with the greatest possible rapidity in any shape and by any means. By his express mail (which our artist has introduced in his sketch, engaged in a race with a locomotive, for which hyperbole of fancy the reader must make whatever allowance he pleases) he has reduced to one-half the time occupied two years ago in sending business letters and news from the great commercial centre to the extremes of the Union. It is a remarkable fact, that Mr. Kendall is known to have long ago prophecied that electricity would ultimately be used, by means of wires confined in non-conducting tubes, to communicate intelligence, public and private, instantaneously from the centre to the extremes of our country, and that it would supersede all the other means of telegraphing,—a prediction which now appears on the eve of accom-

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plishment,—and he is now strongly of opinion that the project ought to be adopted and fostered by the Government. The exact effect on the progress of civilization, which will be produced by the establishment of a system of telegraphic communication over the whole extent of our country, by which time and space will be almost annihilated, for private as well as public use, it seems not easy to calculate.

At every period of his life, under all circumstances, Mr. K. has been a decided and open Democrat. While in College, his politics, derived from the sound and healthy instincts of his early life, were always boldly avowed, although near three-fourths of his fellow students and the officers of the College who had the bestowal of all its honors, were bitter Federalists, who could not always restrain their strong political animosities. While studying law his course was alike open, although to be a Democrat in Massachusetts at the time of the declaration of war, was considered almost a penal crime. On every question, which has since arisen in this country, in which there has been an effort to diminish the power of the people' over their own Government, he has been on the popular side. Since his first entry upon political life he has been uniformly opposed, on principle, to a National Bank, not more on the ground of unconstitutionality than on that of the concentration of moneyed power, and its irrepressible tendency to abuse. With respect to the banking system of the States, the tone of his political opinions could not but incline him to look with strong dissatisfaction upon those features of it, which involve the essentially vicious principles of monopoly and irresponsibility. He may be said to have been among the foremost of those master minds who have led the way in the great popular movement of ideas on this subject which we now see in progress. He is in favor of a radical reform in the general banking system of this country; which, being founded upon falsehood and immorality, renders the superstructure of necessity unsafe and mischievous. He is not in favor of destroying the banks, nor of dispensing altogether with a paper currency, though his name is sought to be identified with all that is violent and *ultra* in doctrine on this subject; he is conscious of the important commercial convenience of the former, as also of the latter, when really the true representative of money—and not its mere counterfeit substitute, susceptible of indefinite multiplication, without any other than a disturbing and most pernicious influence upon the real prosperity and happiness of the community. He holds, as he has always held, to the plain Jeffersonion principle, the foundation of the true science of democracy, that the protection of natural rights is the only legitimate object of Government—his rights of person, property, and reputation, and that legislation for the creation of artificial rights to confer special privileges and advantages, is but indirect usurpation and oppression.

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Mr. Kendall is particularly remarkable for promptitude and energy of character. The manner in which these qualities were illustrated on a recent occasion, on the suspension of specie payments, is known to all; the results have proved themselves, in spite of the opposition with which his arrangements were assailed, in the fact that the Post Office Department has preserved its credit and efficiency unimpaired amidst the wreck of all the banks in the country, affording a signal illustration of the ability of the Government to carry on all its fiscal operations with certainty, safety, and convenience, in the constitutional currency alone, exempt from all danger of fluctuation, not only without the aid of banks, but even in defiance of their power.

Probably no public man in the country has been the object of more untiring and malignant abuse than the Postmaster General, arising chiefly out of the fact of his having been from an early age deeply engaged in the bitterest struggles and turmoils of party politics, as editor of a leading party organ in the west. Yet no man can be either less injured by it, or more indifferent to it—one of his striking characteristics, formed by the experience of his whole life, being an imperturbable firmness in adhering to his plain and strongly marked principles, and acting upon them with unflinching courage and endurance, with an unwavering certainty of receiving ultimate justice at the hands of the people to whose cause he has ever devoted himself. Direct attacks, of a tangible character, he has always shown himself ready to meet, however unworthy their source, —never failing to vindicate himself, and overwhelm his assailant, with a clearness and vigor of argument and a power of style, with which but few pens can successfully cope. Extremely simple in character—plain, mild, and unassuming in manners—direct and open in conversation—estimable and amiable in private relations—thinking clearly and deeply, feeling strongly, speaking, acting, and writing nervously on all subjects—a staunch democrat, whose principles are always to be relied upon with the truth of steel—in all affairs with which connected making his influence sensibly felt, by the necessary force of talent—unspoiled by the elevation to which he has raised himself by sheer dint of superior abilities, animated by an energetic will, and directed by a consistent honesty of principles—indefatigable, both in mental and bodily labor, as a public officer, notwithstanding a deeply impaired state of health, which keeps him in constant alternation between the bed of sickness and the post of official duty—few men have *lived down*, in the honest judgment of those who know them best, more bitter, violent, and unresting attacks of calumny and abuse, than the self-educated and self-elevated farmer's boy of New England,—Amos Kendall.

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RECOLLECTIONS OF EASTERN TRAVEL.

BY J. S. BUCKINGHAM, ESQ.,

No. I.

VOYAGE ON THE NILE, FROM THE EGYPTIAN THEBES TO NUBIA, BEYOND THE NILE.

The popularity with which almost all recent works descriptive of Egypt, have been received both in Europe and America, and the sustained interest which still continues to be felt in every thing that can serve to unfold the mysteries of that ancient land of wonders, has induced the belief that a short series of articles, at once attractive and original, from the pen of some actual traveller in that classical region, would be highly acceptable to the readers of this Review. We have accordingly sought for, and readily obtained, the contributions so desired, from the pen of the extensive and experienced traveller, whose name is given above: and after the almost universal testimony borne by the public press of his own country, and of ours, to the richness and the fullness of the information communicated in his popular courses of lectures on Egypt, recently delivered to constantly increasing audiences in New York, and soon about to be presented to the inhabitants of Washington, Baltimore, Philadelphia, and, in succession, to the principal cities and towns of the United States, we may anticipate much of information and entertainment, from the articles with which we are thus furnished. They will have the charm of novelty, having never before been published;—they will have the merit of authenticity, being from the pen of an eye-witness;—and as they take up the route at the point which usually forms the termination of a mere tourist's journey, they will make us acquainted with those portions of the Nile which are least visited, and least known, taking us beyond Thebes southward, to the cataract of Syene, within the tropic, and from thence again, still further south, through Nubia, to the second cataract of Galabshee, higher up the river. We present the first article of the series, in the present number, and shall follow this by the succeeding ones, in which it will be found that, under the form of an actual journal of the voyage,—the leaves taken, indeed, from the original diary of the route penned on the spot,—are blended an agreeable admixture of personal narrative, antiquarian investigation, and copious description, forming that variety which constitutes the principal charm of books of travels written by intelligent men. With these preliminary remarks, we present the journal to our readers.

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ASCENDING THE NILE, FROM THEBES TO THE CATARACT—NOV. 25.

I never remember to have saluted the dawn of day with so much pleasure, as that with which I now watched its infant gleams of light—yet when we attempted to leave the gloomy habitations of the royal dead, in the Necropolis of Thebes, I felt myself so overcome by fatigue, want of rest, and anxious apprehension of illness, as to be almost unable to support myself erect. Necessity, however, is imperious. We were without resources—every moment's prolongation of our stay would have increased the evil, and in sending for conveyances to the nearest village, we should have had to return in the burning blaze of the noon-day sun. I feel persuaded that nothing short of the absolute apprehension of death in remaining, could have borne me through the attempt; but fainting and trembling at every step—supported by the Arabs over the steepest roads—stopping at intervals to recover breath—and too weak to resist the impulse of the almost perpendicular descent towards the plain—when we reached the boat, where I was laid by my servant on the bed, my strength was so far exhausted as to render me incapable of motion, without assistance.

My proposed examination of the Necropolis of Thebes, or the caves of Kuina, was therefore necessarily abandoned, until my return down the Nile; and willing to profit by the light eastern air that had sprung up towards noon, we spread the sail that had so long been furled, and left the great Diospolis, with a regret as sincere, as the cause which hastened our departure was painful and alarming. The view of Luxor, ascending and rounding the projecting point on which it stands, was beautiful in the extreme—as well as the broken mountains on the opposite side of the Nile, which certainly afford more picturesque scenery, the higher you advance up the stream. I remained perfectly insensible, however, to all its charms, in the enjoyment of the only medicine I possessed—

"Tired Nature's sweet restorer, balmy sleep—"

until darkness shrouded every beauty with her sombre veil.

ERMENT, THE ANCIENT HERMONTIS—NOV. 26.

A warm bath—a simple emetic of tepid water—and perspiration produced by the copious use of weak tea—had procured me sound repose, and relief from every apprehension; since the strong fever of the preceding day had by these means been entirely conquered, leaving, however, an extreme degree of lassitude and weakness. We had moored near the village of Erment in the night, and as the distance did not exceed a mile from the river, we procured animals, and rode thither, to visit the ruined temple of Hermontis. On approaching from the water, the first object we met with, after passing a crowded Bazaar, or Village Fair, was the remains of a building on the left

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hand, of a small size, not exceeding one hundred feet by fifty, in extent—built apparently from Egyptian ruins—as several of the fragments in the walls contained hieroglyphic sculpture, and the body of the building, razed at present to its foundation, was strewn with fine columns of rose-colored granite. The eastern end, which is all that is left standing, contains an arched choir, and the whole style of the fabric shows it to have been once used as a Christian church—though one's wonder is excited at so complete a destruction of an apparently well built and modern edifice. Near this, advancing still further to the northward, is a fine reservoir fifty feet square built of free stone, in a solid manner, with flights of steps ascending on each side, and at a short distance beyond it, in the same direction, stand the ruins of the venerable temple, of which this work appears to have been an appendage.

Nothing remains of the grand Portico which faced the west, or of the outer wall, by which its size and plan might be ascertained; the seven columns, still standing, having belonged to an inner portico preceding the sanctuary, like the small apartment at Tentyra. These are neither of extraordinary size, nor of massive construction; but are surmounted with different capitals, and produce the richest effect that can be conceived—and have even a harmony in variety, all the ornaments being purely native—the lotus—the palm—the rush—the vine.

On approaching the sanctuary over the scattered heaps of fallen masonry that almost blockaded the entrance, one cannot help being struck with the appearance of extreme antiquity presented by every part—the simplicity of style in the design—the coarseness of the sculpture—the more than usual stiffness of outline—and the very hue of the materials themselves—all pronounce it to be one of the earliest, even of Egyptian monuments. The outer door is surmounted, in the usual way, with a tower, cornice, and winged globe; the figure on the portals represent Isis, suckling her grown up son Horus, in the same affectionate manner as in the single compartment described on the Gate of Tentyra. This group is here, however, frequently repeated, and in some of them the son Horus, is represented as wearing the sacred bonnet, while, in every instance, Isis, his mother, is supported by a figure who clasps her waist from behind, while offerings of the lotus, globes, vases, sphinxes, &c., are made to her by Priests. This outer door is separated from the body of the sanctuary itself, by a narrow internal opening more than five feet in depth,—lighted by an obscure window on the left, and having a secret gallery on the right, which ascends to the summit of the building. Around the walls of the Temple, Isis and Osiris are represented as receiving homage, clothed in their usual attributes of divinity:—and the inner door is surmounted by a double cornice, each portion of it containing the winged globe, or emblem

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of eternity; while the portals are inscribed with a multitude of written characters, arranged in perpendicular columns. The body of the sanctuary does not exceed thirty feet by fifteen; its height corresponding with the length. Its ceiling is ornamented with spread vultures, extending nearly the whole breadth, encompassed with a rich border of stars, and smaller hieroglyphics. Over the inside of the door, is seen the sacred hawk, expanding his wings as if in the act of rising from a pedestal on which he stands, surrounded with the flowers of the full grown lotus, whose stalks, diverging like the rays of the sun, form a perfect semicircle. On each side of this divinity are females, in the attitude of adoration, followed by a very monstrous representation of the evil genius, Tyrphon, in profile and front views, and then again supported by the ever-present Priapus. In the compartment below this, Horus is borne on the horns of the bull Apis,—on each side of which, Isis is suckling the infant Horus on her knee. In the upper division, on both the side walls, the youth is presented by her to Osiris, wearing the hawk's head, surmounted by a globe, and the father embraces him with apparent approbation;—after which follow his presentations to the priesthood, with long and labored inscriptions. Underneath them, between two large compartments, are double horizontal rows of very singular figures, among which are to be perceived, on the right, offerings to the cat, which was one of their deities, by an Ibis-headed figure enclosed in a monolithic temple;—two animals are then seen extended on a pedestal, with the hawk's head, the sphinx's body, and a long bushy tail reaching to the ground—followed in one instance by priests bearing offerings of food, in another by Tyrphon, mixing with his own attributes those of Priapus, and thus becoming the symbol of propagation. The head is surmounted by a dagger, his left hand holds the flail of abundance, and his right embraces the substance of this type. Underneath this, are a variety of birds and animals, singularly grouped. In the same corresponding ranges on the left, are persons in a boat, with short oars, as represented in the paintings of Grecian subjects, making offerings to a female figure, sitting on the lotus, and bearing the flail; groups of hawks, with sacred bonnets—erect serpents with circled tails, supporting globes on their heads—sitting cats—and figures of Tyrphon, with a corpulent body, and hanging breasts—form a singular and unintelligible variety.

On the right wall, in the lower compartments, the god Priapus is borne in triumph on the shoulders of twelve priests, with uncovered heads:—the whole of the litter which sustains the god, is hung with a richly embroidered cloth, extending to the ground, and worked with flowers that nearly represent the full-blown rose—though more probably they were intended for the open lotus. The evil-genius, Tyrphon, follows this procession, bearing the globe on his shoulders, as indicative, perhaps, of his power over mankind.

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The terminating wall is too much defaced to enable the spectator to decypher the groups sculptured in it: but it was closed by an immensely strong door, which a vain attempt has been made to open:—a passage however, has been forced through the right extremity of the massive partition, which leads to a small apartment not more than five feet deep, extending the whole breadth of the sanctuary, and corresponding with the division which precedes the entrance. It is obscurely lighted by the small windows, the outer apertures of which, can scarcely be perceived, and all wears the air of silent mystery. The sculpture is evidently of later date than that on the outer walls; at least it is more labored, and more highly finished. The bottom of the apartment is surrounded by an exquisite border, reaching three feet in height above the pavement,—formed of the lotus flower and palm branch, repeated at intervals, to correspond with the capitals of the columns on the outside. The goddess Isis is here represented as sitting astride on a beautiful sofa, the ends of which terminate in lion's-heads—and the feet are formed from the paws of that animal. In this attitude she is represented as suckling her infant, Horus, and afterwards intrusting him to figures like cows, who perform the same maternal office, and in the same attitude. On the opposite wall, three figures are seen presenting a kneeling female to another group, the principal personage of which appears to support an infant, extended horizontally, in the stiffness of death: the attitude of her who kneels to receive it, is that of sorrow and alarm—and her extended arms are interwoven with those of him who presents her, as if struggling in all the agony of grief. The whole of this interesting picture is beautifully arranged, and almost speaks to the heart as well as to the senses. It is unquestionably intended to depict the poignancy of maternal suffering on the loss of offspring—more particularly as the group is hovered o'er by the winged beetle, as the emblem of immortality, sculptured on the entrance of the royal tombs, and guarded on each side by the protecting vulture. The ceiling of this little apartment is ornamented with an astronomical design—in the centre of which is seen a priest, with extended arms, sailing in a boat guided by stars—alluding naturally to the connection of navigation with astronomy. Around him are also seen the scorpion, the bull, the goat, and other figures of the ancient Zodiac, and the whole is encircled on the sides, by the bending figure of Isis, in the same attitude as she surrounds the Zodiac in the ceiling of the Portico at Tentyra. It would have afforded me a pleasure of the highest kind to have remained a few hours in the agreeable occupation of tracing the connections between subjects so apparently heterogeneous; for no doubt can exist of their having been all executed and arranged with design, and of their all tending to the illustration of some science, some duty, or some truth; but it was with difficulty, I could force my

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way through the crowds that had gathered round the building, who had all hastened to be witnesses of the treasures which they believe travellers to come in search of, and demand the means of procuring their share in the golden prize. This conviction, as to the object of travellers, exists among all classes of Egyptians, as firmly as ever; though I had never yet met with the slightest insult or obstruction on that account—when unarmed and unattended, amidst hundreds;—on the contrary, I had invariably found that an exchange of salutations—a touching of hands—the benediction of the Salaam-Alaikam,—and an air of confidence, were sufficient to procure the friendly assistance of all parties.

The weakness which still remained from my indisposition—the exertions of the ride—and the no small labor of decyphering the mysterious emblems of these gloomy walls, had also exhausted me, and disposed me to shorten my stay. When we re-embarked, the wind was favorable, and as all these enumerated circumstances rendered me incapable of crossing to the ancient Chrumis, on the opposite side, we profited by so favorable an occasion to proceed to Esneh—leaving the intermediate antiquities to be visited on our return—when I hoped to possess a recovered strength adequate to the increased fatigue.

Opposite to Hermontis, the river Nile flows due east and west, but on rounding the point of Rizacut, we steered nearly south, inclining a little easterly. Eight or ten miles beyond this, we passed on the right two singularly projecting rocks, which, rising from the flat level of the banks, we perceived at some distance off. It appears as though they had been rent from the Lybian chain by a sudden swelling of the Nile, which might have been influenced by some unknown cause to a temporary diversion of its course, more particularly as there are several caves and islands here that would have influenced it, an opinion rendered probable by there being a fine bedding soil to the westward of them—deposited there by the river in its diverted course, but now overflowed during the height of the inundation.

ASCENDING THE NILE ABOVE HERMONTIS—NOV. 26.

The breeze strengthened every hour, and brought us to Esneh, about three o'clock, where we landed to wait on the Kiachef or Commandant. When the ceremonials as visiter had been gone through, my first inquiry was after a Swiss traveller, Mr. Burkhardt, who I had heard was here—and it was a pleasure to me of the highest kind, to find my hopes confirmed. The Kiachef politely sent for him, and he entered the room—dressed as an Arab Fellah, with a long beard, and blue frock outer shirt, like the Egyptian peasants of the humblest class. He had assumed the name of Sheik Ibrahim—and was perfectly master of the Arabic language, ac-

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quired in three or four years travels in Egypt and Syria, so as to enable him to pass among the most suspicious for a native of the country.

Our conversation was divided between the most recent intelligence from Europe, as demanded from me by him—and the local information relative to Egypt, kindly given me in return by him. We both remained to sup with the Turkish Governor, whose attentions to us were greater than I had yet seen among persons of that rank; and we all continued engaged in close conversation until nearly midnight.

ESTRET, OR LATOPOLIS—NOV. 27.

I had not yet arisen from my bed, as it was an hour before day-light, when the Sheik Ibrahim paid me a visit in the boat, and we breakfasted together at sun-rise. It may serve to give you some idea of the pleasure of our meeting in this remote spot, to state, that early as the visit was paid, we sat upon the mattrass, extended upon the cabin floor of my boat, from that hour of day-light, until four o'clock, past mid-night of the same day, a period of twenty-two hours, without once quitting the boat; and even then, when he found day-light had again nearly arrived, we were so unwilling to break off our communication abruptly, that we lay down to sleep upon the same cabin floor. It would be impossible to describe the delight we both felt in the enjoyment of so unexpected a pleasure as the meeting of persons under such circumstances must always afford, but in a still higher degree to those who think and feel alike, whose tastes are similar, and whose sentiments are congenial. This was, unquestionably, our case; and as if the fleetness of time might snatch from us too hastily the opportunity of mutual disclosure, we dispensed with all preparatory formalities to enter at once upon the task. There were, besides all this, a number of public incidents or events that increased the interest of referring to them, from our having both witnessed them at the same time, though unconsciously, because then unknown to each other. We had heard the same operas in London, on the same occasions; attended the same concerts; seen the same sights, and mingled in the same parties, in the great metropolis. He had been a fellow-traveller of Mr. Fiat, in Syria, and a correspondent of Mr. Renouard in Smyrna,—both of whom being known to me, rendered the topics of our conversation as varied as they were agreeable. He had been educated at Berlin, and finished his studies at Cambridge; passed several years on the Continent of Europe, and been through all Syria in the character of a Merchant, a Priest, and a Bedouin; penetrated through the boundaries of Egypt nearly to the frontiers of Dongola, and now waited the departure of a Caravan to depart for Nubia and Abyssinia, intending to come out on the shore of the Red Sea—traverse

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the Yemen, and Arabia—and return to Cairo by the Desert, in about eighteen months. To a classical education he added a perfect knowledge of French, Italian, German and Arabic—he had studied the piano-forte under the best masters, until he was a passionate admirer of poetry and music—and was warmly susceptible of the noblest passions of the human heart. How, then, was it possible not to be enamoured of such a man's society,—an enjoyment so rarely falling to the lot of the wanderers in these distant regions.

ESNEH—NOV. 28.

We passed the day again together, and devoted it to an examination of the town and the remains of antiquity it possesses. Esneh equals in extent and population any of the principal towns in Upper Egypt,—and from being the southernmost station of the soldiery, it is a place of consequence and resort, but in its aspect and situation is one of the least interesting among them all, since it is every where surrounded by barren views, and has scarcely a garden near it, except the one which was so recently moistened by the blood of the Mamelukes, massacred here while partaking the treacherous hospitality of Ibrahim Pasha.

Our access to the portico of the Egyptian Temple, for which Egypt is celebrated, was rendered difficult from its being very near the Bazaar, which was to day particularly crowded, there being a fair of three days duration opened this morning. I had seen the beautiful elevation which Denon gives of this Temple, as well as his account of its having been entirely cleared of the rubbish under the direction of General Beliard, who had built shops on each side, and so embellished the great square in which its stands, as to make it a monument of their expedition in Upper Egypt, though the inhabitants, pleased with the plan, cheerfully contributed to its expense. I was disappointed, however, on entering a low door, connected with some mud hovels, which obstruct the approach, to find the very first range of columns buried, to within three feet of their capitals; and the whole building so disfigured by the paltry dwellings which surround it, as to be almost hidden from view. It deserves, however, all the praise which Denon bestows on it, for the purity of its style and proportions, and the richness of effect which its capitals produce. Among these twenty-four columns, there were six varieties of capitals, which were uniformly divided into pairs; and though differing in their minute details, they possessed a general resemblance to each other. They were all formed out of the most simply beautiful arrangements of the vegetable productions of the Nile. Nothing but the portico of this great edifice remains—the whole of the nave being either destroyed or sunk beneath the soil; as private dwellings are built even against the connecting wall. The dimensions of this

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portico are about 120 feet broad, by 60 feet deep; and the diameter of its pillars, is at least, eight feet. The shafts of these pillars are covered with sculptured figures; and the walls are decorated with sculptured hieroglyphics and large figures, in a good style of execution, representing nearly the same ceremonies of offering to Isis, as in the Temple at Hermontis; and sometimes to male divinities with the head of the dog, or the crocodile. Among the smaller figures were an endless variety of serpents—sometimes wearing the hawk's head and sacred bonnet—at others, partaking of the nature of a quadruped—frequently surmounted by a human face—and in many instances, having trees or branches growing out of their tails. The portico communicated with the sanctuaries in the body of the Temple, by three doors—the central one of which was the largest; the whole of the ornaments correspond with each other, and are executed in an admirable manner.

The embankment, or quay, which remains on the banks of the river Nile, at this spot, appears to have been an extensive work, though now much dilapidated. It might have been either of Egyptian or of Greek construction, as no extraordinary massiveness is apparent in its parts, and many of the blocks of stone are evidently fragments of higher antiquity than the quay itself, being covered with mutilated and broken hierographical figures. It is so destroyed at present as to be incapable of repair, or answering any beneficial purpose to the inhabitants.

Mr. Burkhardt and myself supped together, with the Kiachef, who was a Turk of more polished manners than I had before seen in Egypt, though they are, in general, extremely courteous and polite; but this governor was also fond of reading and inquiry, and had in his possession several Turkish and Arabic books on natural history, some treatises on precious stones, and one work on astrology, which he referred to on all occasions, and abided implicitly by its decisions. In a conversation on the emerald mines, said to have formerly existed on the coast of the Red Sea, in about this latitude, he told us that, at the suggestion of some Europeans at Cairo, the Pacha had sent a party of soldiers, with Arabs, into the mountains of Nubia, to search in every possible direction, and that after four months labor, they had found an emerald, half the size of the cushion on which he sat, or about eighteen inches square. We were both disposed to doubt this fact; and Mr. Burkhardt told him it might possibly be beryl, or some stone of inferior value; but he persisted in its being a real emerald, and ordered it to be brought for inspection. The stone itself was so encased for preservation, that we could not see it; but a fragment which we afterwards saw, proved it to be nothing more than a vitrification of a green color, full of air globes, and coarser than our common bottle glass. Nothing could be more evident than the error of supposing this to be an emerald,

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to a person of the least judgement; but the Pacha's opinion was preferred to ours, and we of course yielded. It would be an object of curious inquiry, however, to ascertain whether, as there is no fuel in that country, glass had ever been manufactured there, and left such fragments as this; or whether this was a casual vitrification from some extensive fire. We could obtain from them no exact description of the place, or manner in which it was found; and from their reluctance to answer questions on this head, we thought they were afraid we might profit by so important a discovery.

Mr. Burkhardt returned with me to our boat at night; and we continued to sit up nearly as late as the preceding one, and were as happily engaged as before. For myself, I feared that the moments of our interviews would escape too rapidly, and that after we had parted, I should still have a thousand questions to ask him, without his being near me to answer.

CONTRA-LATOPOLIS.—MONDAY, NOV. 29.

Breakfasting together, we took the boat to the opposite side of the river, and walked to the ruined fragments of Contra-Latona, as called by Arrowsmith—by others, with more propriety, Contra-Latopolis. Denon has somewhere ventured a suggestion, that it was the constant practice among the Egyptian towns of importance to have a small city, or port, on the opposite bank of the Nile, for the convenience of commerce, among which he numbers this; though it would be curious enough, that while the city itself was built upon the very edge of the stream, its port should be upwards of a mile from the river, which is here precisely the case.

An extensive space, now covered with vestiges of pottery, brick, &c., shows it to have been a town of some consequence; though the only monument remaining, is the portico of a small temple, more coarsely executed, and in a worse state of preservation than any building I had yet seen. Of the eight columns remaining, the two which guard the central entrance were surmounted with the head of Isis, as at Tentyra; but in the worst style that can be imagined, nor are any of the other pillars deserving the epithet of beautiful. The engagement of the column in front, is disproportionately massive, as well as the door-way communicating with the sanctuary; and the sculpture on the walls is certainly of the worst ages. The designs are confined to priestly offering, and Priapus is the prevailing divinity. Yet ancient and dilapidated as is this edifice, its destruction took place before it was completely finished, since there are still visible on the walls several groups, designed in red chalk, without having been sculptured; and in other places again partition walls have been added, which in their abutment cover other hieroglyphics, and prove them to have been subsequent additions.

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The interruption, too, of the general plan, gives the building an appearance of great confusion.

When returning to the boat, over the scattered heaps that every where opposed our progress, a conversation, suggested by the scene itself, arose from these inquiries;—whether the unaccountable quantities of pottery found on the site of every Egyptian town, arose from those vessels having been used for all domestic purposes—from their being the only vehicles of religious offerings—or from their being used in the construction of ordinary dwellings, as at present, in Egpytian villages, where whole houses are constructed of French jars cemented by mud, and found to be cheaper and more durable than unbaked earth. All these circumstances might have been combined; but Mr. Burkhardt was disposed to adopt the latter opinion as the most ready explanation; since both the former practices were, of themselves, insufficient to furnish such immense heaps of ancient pottery, as we every where met with on the sites of ruined cities, and to this might be added the consideration, that while all the earthy particles became indiscriminately mixed with the soil, this highly burnt substance remained positively indestructible.

I had fixed my departure from Esneh for this morning, yet we had dined, and suffered the shadows of the evening to close upon us, before we thought of separation; and I am persuaded that both were equally willing to delay it to the latest moment, although our two long night conversations had so broken in upon our rest as to occasion inconvenience to both parties, but more particularly to Mr. Burkhardt, who had for some months been suffering severely from an inveterate opthalmia, to which the night air is poison. It was agreed, however, that our interview should break up at midnight, in order that I might depart with the morning's dawn, to pursue my voyage up the Nile. There was but little Hope of our meeting again for many years, if ever; and yet we talked of such a circumstance as though we really anticipated it—either in the Red Sea, the Levant, or England. When we parted at midnight, the grasp of our hands was as warm and fervent as if we had known each other for many years.

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THE SCHOOL OF REFORM:

A DOMESTIC TALE.

By the Author of "The Dutchman's Fireside."

NOTHING is more common in these times—and, indeed, at all times—than to hear men complaining of their wives, and quoting the example of Xanthippe, as an argument against the respectable institution of matrimony. One will rail against their extravagance; another against their love of pleasure; another against their ambition of rule; another against their vanity, and another against their spirit of contradiction. In short, there is no end to the charges brought forward against the better-halves of more than half the married men of the present age.

But nothing is more easy than to prove, that what is called a bad wife is the greatest blessing that ever fell to the lot of mortal man. Take Socrates, for example, who is, by common consent, acknowledged, as the most virtuous of all the pagan philosophers. There can be no reasonable doubt that this superiority was, in a great degree, owing to his wife, who is equally renowned as the greatest shrew of all antiquity. It was she that taught him his philosophy. It was to her he was indebted for his habit of indifference to all the ills of life; for his submission to misfortune; his perfect command of temper; his abstinence from excesses of every kind, and his indifference to life. Without doubt, much of that philosophic coolness with which he swallowed the dose of hemlock juice, may be fairly ascribed to the lessons he had learned from his excellent wife, Xanthippe, who had taught him the real value of sublunary enjoyments He left nothing to regret, and so he died like a philosopher.

It would be equally easy to adduce various other instances of illustrious men of antiquity, the fear of whose wives overcame the apprehension of death, and who became heroes abroad, entirely on the score of being cowards at home. But such an enumeration might prove somewhat tedious, and we shall content ourselves with stating a modern instance which fell under our own personal observation, in the hope that, after this, we shall hear no more idle complaints against bad wives. It will go far to prove that what is called, by mistake, a good wife—one who never contradicts her husband, always approves of what he says and does, and permits him to do just as he pleases—is the greatest misfortune that can fall to the lot of man, and sooner or later brings him to utter ruin.

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Frank Weatherhead was an only son; and his father dying when very young, he fell exclusively under the care of a weak, but affectionate, mother. We are aware it is customary to lay the faults of young men at the doors of indulgent mothers, and that this is considered a sufficient apology. A poor excuse, they say, is better than none; and, in our opinion, of those who lay their ruin to a mother, a large portion may lay it to themselves. Lord Byron is held up as an illustrious example; but those who look closely and impartially at his conduct early in life, will probably be inclined to suspect that the evil spirit which led him astray, was not that of a parent. His nature was untameable by any process of domestic discipline, and the long continued errors of his life can receive as little apology from the example of his mother, as from the alleged waywardness of genius. Byron was naturally unamiable and vicious. His writings have done much to diffuse a false taste as well as false principles. Any one may yield, at times, to the force of immediate temptation; but he who can sit in his closet, abstracted from the seductions of the world, and coolly and deliberately indulge his imagination in abstractions of licentiousness or immorality, must be bad by nature; since he sins without the apology of temptation.

Be this as it may, Frank Weatherhead was certainly indulged to excess. He was an only child; his mother was a widow, and he was heir to a plentiful fortune. In his boyhood he studied little, and spent a great deal of time as well as money in idle pleasures. He became early his own master, and his mother died just about the period he came of age. Having exhausted, or rather becoming tired of, the round of pleasures afforded by his native country, he went abroad; staid three or four years; grew tired of post-chaises, pictures, Paris, and the Palais Royal, and returned home, a little more spoiled than he went abroad. He had spent much of his time among women, who admire a man for his money; and having plenty of this, he was of course very much admired and vain of his person. Having seen all the fine pictures and statues of Europe, he valued himself on his taste, and did little but find fault with every thing he saw on his return home. In short, he was mentally and personally vain, ireful, impetuous, extravagant and overbearing. It was plain that he was destined to be an unhappy man, unless some fortunate circumstance, or train of events, interposed to restrain him in the indulgence of these faults. His vanity would subject him to a life of mortification; his wilfulness lead him into perpetual errors; his impetuosity into frequent dangers; his extravagance ruin his fortune; and his overbearing habits incapacitate him for the enjoyment of society, since he could not endure contradiction.

It is a common saying, that when a man becomes satiated with the empty delights of the world, and has in some measure disqualified himself for the enjoyments of domestic pleasures, he begins to think

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of marrying. His case being desperate, requires desperate remedies. Accordingly, Frank, after fluttering about from one resort of fashion to another, and exhausting all the delights of watering places, sea-bathing, and the Falls of Niagara, began to relapse into that doleful limbo called ennui, which seems to have been intended by Providence as a sort of leveller, to bring down the votaries of pleasure to an equality of happiness with the sons and daughters of toil. He had a little touch of dyspepsy, too, which is another levelling principle, by which those who indulge their appetites too much, are brought to an equality with those who have more appetite than food.

All at once, Frank determined to marry and reform, instead of reforming and marrying,—which philosophers consider the better way. But Frank proved himself in the right at last, as will appear in the sequel. With the sagacity acquired in the great school of the world, he chose a quiet, retired young lady, brought up in the country, under rigid and severe parents, who had scarcely ever permitted her the indulgence of her own will on the most innocent occasions. The wise men of the world considered this perpetual curb the best security for future obedience, not happening to recollect that even the patient Ox sometimes cuts a caper when relieved from the yoke. The young lady was, moreover, a stranger to all the temptations of pleasure, and had never been contaminated by the example of its votaries. Frank concluded, with equal wisdom, that this total abstinence from dissipation must have rendered her perfectly indifferent to its fascinations. Her parents supplied all her necessities, and as she was totally unacquainted with the mischievous art of spending money, she could have no temptation to extravagance; at least so thought Frank, who had travelled and seen the world.

But so thought not the young lady. They had agreed to marry, but it was with exactly opposite views. Frank was resolved to retire from the world, to the indulgence of a system of economy that might in time repair his somewhat shattered fortune; while the lady was equally resolved to enter upon a life of pleasure, spend as much money as she pleased, and make herself amends for a life of slavery, by doing as she liked ever afterwards. Contrast is the parent of love; it is then no wonder that Frank and Ellenor fell in love, and were married.

It is agreed, on all hands, that married people are always happy for one month, let what will happen. It is presumed that this exemption from the ills which flesh is heir to, arises from their not contradicting each other. Frank enjoyed the usual exemption, but his troubles commenced the very first day after the expiration of the brief matrimonial millennium. There was an invitation to a grand ball to be answered, and they could not agree about the answer.

"I did not marry to indulge in a life of dissipation," quoth he.

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"I did," thought Ellenor; but she was as yet not thoroughly initiated in the license of contradiction.

"My dearest Ellenor," and he kissed her—"I am determined to sacrifice all my old habits to yours. I am tired of the empty pleasures of the world, and to show you that in future I mean to conform to your wishes, in all respects—mean to give up balls and parties!

"The deuce you do," thought Ellenor; and this time she had to bite her tongue to prevent giving it utterance.

"Yes," said the new-born philosopher—"Yes, what is pleasure but emptiness and vanity? A bubble that, after chasing all our lives, bursts the moment we attempt to grasp it. A shadow of nonentity—a—a—but, my dear Ellenor, you are tearing that beautiful flower to pieces, that I gave you this morning! As I was saying, you and I will retire into that snug nestling place, the domestic circle, to the enjoyment of those heartfelt delights that—"

"I'll be switched if I do," thought Ellenor, and this time the words would out, in spite of her teeth.

"You'll be what?" asked Frank, almost gasping for breath—"what did you say, Ellenor?"

It is affirmed, that in certain countries the cold is so extreme as to freeze the very words before people can utter them, and that when a thaw comes, there is an awful explosion of the vernacular, sorely trying the stoutest nerves. Something of this sort happened on the present occasion. The inclinations as well as the tongue of poor Ellenor, had been, as it were, frozen up for a succession of years in the cold atmosphere of domestic tyranny, and she had, as before stated, married not to retire from, but to enter upon, the world. To be thus taken in was more than she could bear, and the pent up feelings of twenty years exploded at once in a torrent of words. Passion is a sore enemy to good breeding, and if Ellenor, on this occasion of uncontrollable provocation, should discourse a little contrary to its censors, it must be laid to the account of a momentary excitement, which philanthropic jurymen sometimes consider a sufficient apology for committing murder. When Frank asked her what she said, her apology was as follows:

"I say, Mr. Weatherhead"—which she pronounced on this occasion, Featherhead—"I say that *you* may, if you please, retire from the world, to the indulgence of domestic felicity; but for *my* part, I had enough of domestic felicity before marriage, to give me a surfeit of it for the rest of my life. You may talk about bubbles, but you wont bubble me; and as to shadows and nonentities—I—I—its a shame, Mr. Featherhead, to deceive a young woman in this cruel manner. I thought I was going to live a life of pleasure—to do as I pleased—go where I pleased—spend as much money as I pleased—and now I find I must content myself with domestic felicity! You

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cruel, barbarous man! Ugh! You are as ugly as sin, and I wonder I ever thought you handsome!" Here she burst into a torrent of tears, and it was all over with Mr. Weatherhead. He gave in at the first round, and the invitation was accepted.

One cannot go to a ball without a new dress, which costs a great deal of money now-a-days, though milliners and mantua-makers, every body (but those who pay) knows, are the most reasonable people in the world. It is recorded that one of them was actually admitted into the Paradise of Fools, where she met a large portion of her customers, merely on showing one of her bills. Not to be tedious, Frank was fain to open his pocket-book, if not his heart, and Ellenor was so grateful, that she came all the way back from the parlour door to kiss him. When Mrs. Weatherhead returned, she brought two new dresses, just from Paris, because, as she observed, it was certain she should want them both in the course of the winter. Frank was well enough satisfied that the money had held out so well, until the lady produced a long bill without receipt. He then commenced a tender expostulation, which was brought to an untimely end, by Ellenor exclaiming—"Lord, Mr. Weatherhead, the thing is done, and there's no use in talking."

They went to the ball; and Ellenor, conscious of her ignorance of the ton on these occasions, resolved to do exactly as she saw others do; for of all the imitative animals in the world, not excepting monkeys, a devotee of fashion is the most servile. She observed that wives took not the least notice of their husbands, nor husbands of their wives, and accordingly never looked at or spoke to Frank, except to huff the poor gentleman a little when he ventured to come near her. Frank returned home that night, or rather morning, with his opinion of himself somewhat lowered, and ere the second month of his marriage had expired, his personal vanity was fast changing into a most becoming humility. "Certainly," quoth he, "I cannot be so handsome as I thought myself, or Ellenor would scarcely prefer the society of every other man to mine."

The opinion he entertained with regard to his genius, acquirements, and knowledge of the world, was not destined long to survive his estimate of his personal accomplishments. Ellenor uniformly preferred the sentiments of every other man to his own, and ten times a day would exclaim, "Lord, my dear, for a sensible man, you certainly are the greatest fool I ever met with!" If at any time Frank undertook to make a bargain, or negotiate an affair in relation to his property, or any trifling matter, it was the same thing. He was always wrong, and never failed of being saluted with, "Lord, Mr. Featherhead, what a wrong-headed, left-handed man you are! You know no more of business than the man in the moon." When a wife compares her husband to that old gentleman, he is in a bad way; and accordingly, in a little time, Frank began to have a still

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lower opinion of himself, and a higher one of his wife. "She is, certainly," said he, "a clever woman; she knows so much more than I do." In three months he was cured of his vanity, and from that time scarcely ventured an opinion, even on politics or the weather.

The second great fault of Frank Weatherhead—was his wilfulness, which this exemplary wife, in good time, cured by perpetual contradiction. It was not long before he discovered, or rather was convinced by experience, that he actually had no will of his own, or what was pretty much the same thing, his wife never permitted him to indulge it. Habit is every thing, and the habit of having his will, at length yielded to that of obeying the will of another. The same process cured him of his impetuosity, since it is plain that a man who never has his own way, is in no danger of doing things in a hurry, or a passion.

Ellenor was inclined to extravagance, as is often the case with those who are suddenly relieved from the fetters of extreme frugality. It will frequently, if not generally, be observed, that a rigid abstinence, upon compulsion, from the pleasures and enjoyment of youth, is followed by an excessive indulgence when these are placed within our reach, as none are so prone to gluttony as those who have for a long time been kept on short commons. The best way to prevent excess in men or women, is to permit the young to partake moderately in all the innocent enjoyments of life, becoming the means and station of their parents, as well as their own anticipated prospects. The extravagance of Ellenor cured that of Frank, by making it absolutely necessary for him to retrench his own expenditures. It was impossible to supply the extravagancies of both; and as Ellenor felt no disposition to restrain hers, it follows that the labor of retrenchment fell upon the husband. He accordingly adopted a system of self-denial, and it is remarkable, that it was on this particular alone that Mrs. Weatherhead allowed him the free indulgence of his will. He became a model of prudence, and was often quoted as an example to all extravagant husbands.

When a single man, as has been before observed, Frank was remarkable for an overbearing arrogance. He exercised despotic power over his mother and all her household; he contradicted without hesitation, and argued without courtesy; he listened impatiently, and interrupted an argument, without the least respect to good manners; to his equals he was a disagreeable companion, to his inferiors a tyrant. In short, he was accustomed to pay little or no respect to the feelings of others, and had fought two duels abroad, one, for interrupting a Frenchman in a *diatribe* against the citizen-king; the other, for cutting short an Englishman in his observations on the weather.

The first time Frank interrupted his wife, by encroaching on

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one of her most impressive actions, and pretty distinctly intimating that, having done as he pleased all his life before, he should take the same liberty in future, he received a lesson that proved the commencement of his reformation. Before he had half finished what he had to say, the thing was done that he had signified should not be, or ought not to be, performed. His astonishment and indignation struck him dumb, and though he recovered his speech afterwards, so as to be understood on all ordinary occasions, he never interrupted Ellenor afterwards, or ventured a syllable to intimate there was such a doctrine as that of free-will. The habits derived from domestic discipline, are observed to have a potent influence over our general intercourse with society. From being courteous and submissive at home, Frank became docile and polite abroad. He seldom ventured an opinion; never contradicted or attempted to impose his sentiments on others; treated his dependents kindly; and would listen to an argument as long as a speech in Congress, without ever once attempting an interruption. Every body said he was a most agreeable companion, and every body wondered at his reformation.

At first, it must be confessed, Frank felt restive under this progress towards perfectibility. But, in process of time, it became as easy as an old shoe, and finally contributed vastly to his happiness. He was rid of those frequent mortifications, that so often tumble the edifice of human vanity to the ground; he escaped those bitter disappointments which eternally follow the fruition of the will; he escaped the cat-o'-nine-tails of conscience, which ever lacerates the back of impetuous designs and actions; and he never afterwards risked his life for the pleasure of indulging his overbearing disposition, by interrupting a speech. If his fortune diminished, he had the satisfaction of thinking, though he did not venture to tell Ellenor so, that it was not his doing; and if any thing went wrong, he could slily indulge in that greatest of all the delights of a husband, laying the blame on his wife.

Thus did he pass his remaining years, until, towards the close, he had become the perfect model of a philosopher—a second Socrates; for he might be said to be indifferent to all the evils and pleasures of mortality, not excepting those of matrimony. His life was one uninterrupted, dead calm, which is the last sublimated stage of philosophy. He troubled himself with nothing, and nothing troubled him. He parted from the world as though he left nothing behind him to regret, not even his wife; and when Ellenor urged him to make his will, replied, "my dear, you know I have no will of my own—do as you please." Two-thirds of his estate therefore went to distant relations—which his wife thought rather hard, considering the pains she had taken to bring about his reformation.

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AVERSA;

OR, THE LAST DAY OF A KING.

"———— Let us meet
And question this most bloody piece of work,
To know it further. Fears and scruples shake us;
In the great hand of God I stand; and thence
Against the undivulged pretence I fight,
Of treasonous malice."—MACBETH.

THE evening sun of September was pouring a flood of mellow lustre over the velvet lawns and meadows adjoining the gardens of the Celestine Monastery in Aversa, which from morning had rung to the blithe shout of falconers, "with horse and hawk and horn and hound," and the gallop of steeds, dashing recklessly onward in pursuit of the birds' flight. The bustling of grooms and servitors, laden with lures, and leashes, and hunting poles, and frames on which to *cast* the falcons—and restraining at times, with their utmost strength, the hounds, panting with the excitement of the sport, added to the gay confusion. The young King and Queen of Naples, then enjoying their *villeggiatura* in this delightful spot, had rode foremost among the noble sportsmen; Joanna herself animating her companions in the chase by the princely gaiety which the delicious season and the excitement of riding in the open air increased to such a degree, that the restraints of the court ceremony were for a while forgotten, and her clear joyous laugh might be often heard above even the merry tumult of the hunters. Nor was Andrew unaffected by the scene—disenthralled from the bondage that had so long fettered the energies of his youth, the presence of Friar Robert, that hideous shadow which had shut out from him the sunshine of existence; the youthful monarch here tasted, for the first time, the delights of freedom; and first began to appreciate his admirable consort. Since their summer residence at Aversa, a calm sense of pleasure had taken place of the fretful and suspicious temper he was wont to cherish; and as he lay stretched often in the still moontide under the shade of the tall cedar or the olive, and gazed on his beautiful queen, rich in every grace that could adorn the princess or the woman, he felt and acknowledged the happiness founded on the exercise of the purer affections. This enjoyment had every prospect of permanency; the coronation of the King and Queen was appointed to take place within three days; and the harmony now subsisting between the royal pair was likely to secure to them the undivided reverence of their subjects, and to free the gentle Andrew forever from the chain of his preceptor's tyranny—that parent of the 'furies of fire-eyed discord.' Such were the hopes—vague, yet

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delightful—that added rapture to the pleasures of days spent in this charming seclusion—that winged the hours of night with cheerful rapidity; such anticipations, rendered more vivid by the approaching reality, which filled with joy the hearts of that little company, the chosen participators of the Queen's retirement, who now, returning from the day's chase, entered the gardens of the monastery.

The town of Aversa, between Capua and Naples, and distant about fifteen miles from the capital, situated in the most enchanting portion of the Campagna Felice, had been the favorite resort of the monarchs of Naples since the time of Charles of Anjou, when, driven to cool shades and fountains by the summer heats, they sought relaxation from the cares of empire. In 1345, at the period of which we write, it consisted of little more than its royal castle, and the Celestine Monastery above mentioned, founded by the munificence of the Neapolitan Kings. Its gardens, however, were not alone devoted to the labors and meditations of the holy monks; the song of the minstrel, and the romance of the poet, the dance of young maidens, and the gay converse of princely guests were now also heard within their walls, as the careless groups reclined by sparkling fountains or clear streams, in the shade of the vine-trellised alley, or the orange grove, redolent of the fragrance of rich and rare flowers. Here were scattered innumerable olive trees; there the paths were bordered by green hedges laden with flowers of varied and brilliant hues; or by the solemn cypress, or the tall shadowy pine, its dark foliage excluding the sun, and inviting the meditative to its obscure recesses. Artificial streams gracefully wandered among those green retreats, and slender columns of water shot up amid clustering leaves, and fell in shining spray, refresing the air and earth with perpetual dews. No visiter, of whatever age, sex or condition, could have beheld this paradise with indifference, or left it without regret; the maiden here thought with deeper emotion of her absent lover, or listened with brighter blushes to the accents of his worship; the heart that had renounced love, or forsworn the pleasures of earth, saw here the chosen asylum of peace and innocent delights. Here the formalities of court etiquette were laid aside; the sovereigns mingled in the games or active amusements of their train, unembarrassed by fear of the frown of governor or regent; and here Joanna thought, despite her lofty spirit and her noble ambition, that she could gladly spend, thus secluded, the years of life, in the rapture of hallowed and reciprocated affection. Her heart expanded to a sense of its own capacities for enjoyment; her soul spurned the unworthy thraldom that had so long repressed its generous impulses; her happiness diffused itself through her whole circle, and like the sunlight was reflected in the faces of all around her. The spectator would hardly have recognized—in the cheerful princess, full of youthful hilarity and sportive grace, who joined in the morning's

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pastime, and formed the delight of all hearts in the evening circle at Aversa—the pale and anxious Queen, who had moved in the public assembly at Naples, as part of the court pageant, her beauty impaired and her health broken by disquietude, ever dreading the malignity of the haughty miscreant who had usurped her sovereign power, and well nigh reduced even her to slavery.

King Andrew, who rode foremost in the group by the side of Joanna, wore simple hunting gear; a close tunic of green furred with petit-gris, and confined by a leathern girdle, with a splendid buckle and tongue, to which was attached an ornamented pouch or purse in the German fashion. Hose of smooth leather, buskins of russet, and golden spurs completed his array, differing but slightly from that of his companions; his conical cap, with its silken bands and heron plume, was partially removed, so as to expose to full view a countenance to which habitual indolence and submission had imparted a subdued expression; we would not say one of timorousness, but of indecision, bordering on imbecility. Animated as he was, however, by the exciting scenes of the day, this expression was now changed to one of gentleness and delight, like that of a pleased boy. The juvenile cast of his features, and the effect of the long fair locks that fell beneath his bonnet, joined to the fact of his being almost wholly unaccustomed to manly exercise of any kind, gave the impression that his years were fewer than they in reality were; he wanted, too, the dignity of bearing which then so generally distinguished youths of noble birth. But if not destined to command by his exterior the "adoration of women and the reverence of men," the naturally amiable temper of Andrew conciliated all who approached him; and his defects were too palpably the result of his education, conducted by designing hypocrites who wished to rule the kingdom in his name, to make this 'youthful and innocent king,' as he is styled by Villani, despaired of by the most independent nobles of his court.

On his wrist, fortified by the well known *gant* or hawking glove, dazzling with gems, was perched unhoodedthe tercel-gentle, whose exploits that day had been to him the source of pride and pleasure; its wild bright eyes gazing into his own as if it shared his exultation. The fondness of the young King for birds was proverbial, and gave rise to a trifling incident as they approached the convent gates, which had well nigh marred the festivity of the whole party. A starling, reared by the prince's own hand, and kept in his apartment, had been suffered to escape through the carelessness of one of his varlets, and sat on an orange tree just without the gate—frightened by the noise of the approaching company, it took flight; and at the same instant a falcon peregrine belonging to Joanna, darted from its perch, seized on the hapless bird, and wheeled upwards with its prey. A cry of irrepressible vexation burst from Andrew's lips as

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he saw his favorite in the grasp of its pursuer; in his hasty resentment he ordered the varlet to be brought forth and chastised for his negligence. The Queen, meanwhile, taking a *gant* from one of her pages, reclaimed the falcon; the bird obedient to the call of its mistress, hastened to perch on her wrist, bringing with it, its prisoner, the terrified starling. One of the group, well skilled in the sport, then discharged the captive; and Joanna restored him, unharmed, save by the loss of a few feathers, to her husband; saying laughingly as she did so:

"You must pardon, my good lord, the boldness of this disloyal bird of ours—keep your frowns, we pray you in courtesy, for the servitor who exposed your favorite to the encounter."

What food for boding and remark would an occurrence so trifling have been among the moody Hungarians at Naples! With what ominous terrors would their superstitious minds have invested it, when viewed in connection with the other events of that night! Far more petty incidents were viewed by the superstition of the age as ominous of some fearful catastrophe; witness the last battle of Manfred of Sicily, whose final overthrow and death were hastened by the fall of the silver eagle he had himself fastened in his helmet—turning to his attendants, he exclaimed, "it is a sign from God!"—then recklessly spurred his horse into the thickest of the fray, to fall unnoticed amid a crowd of vulgar corpses.

An hour or two had elapsed, and after the refreshment of the evening repast,—served to that noble company, not by liveried varlets, but by pages of high birth, without the formalities and servile reverence exacted at public festivals, and partaken in the true spirit of social enjoyment,—Joanna retired with her little circle to the privacy of her own apartments. The room occupied by that favored group,—consisting only of the Queen and her dames, the Countess Phillippe, with Andrew and her chamberlain Des Porcellets—with the simple elegance of its decorations, its light hangings of *samyt* and of embroidered satin—was well fitted for the *boudoir* of a Queen who wished to throw aside the yoke of state ceremony, and converse as a beloved companion with her chosen friends. Books of the lighter order of literature, the poems and romances of the day, reposed on shelves, or were scattered about on the tables; a harp and other musical instruments attested the refined taste of her who presided there, and delighted in such recreations from the cares of royalty. Here the accomplished minstrel often sang, to those noble ladies, the knightly deeds of the heroes of a past age; and sometimes the hours were devoted to the reading of choice books. On that night, the last of their intended stay at Aversa, the whole circle was entranced with interest by the pathetic story of Francesca in the Inferno of Dante. The volume from which the reader repeated the verses of that greatest among Italian

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poets would have been a rare curiosity in our day; with its leaves of parchment, bound in rich leather, and the margin of every canto illustrated with small paintings of the scenes and things described. The Divina Commedia was at that period much less known among the countrymen of the author than would readily be conjectured, being pronounced a work unfit for the majority of readers; this prejudice, however, was not owing to any decree of taste on the part of literary judges, but to ancient malevolence against the poet on account of a latin work, *Demonarchia*, issued by him, which four years after his death caused so great a sensation in Italy and Germany.

It was a group for a painter,—the company listening to that story of love! The young Queen—her robes of ceremony thrown aside—attired in an elegant undress of white cymar—her lovely head unadorned, save by its native profusion of dark brown tresses—her figure reclining on a couch, in the graceful and unconscious ease of attitude, so natural and becoming in the circle of her own attendants, though unsuited to the *salon* or the audience chamber—her beautiful arm supporting her head and resting on the pile of cushions—her bright complexion varying momently as she listened in breathless interest to the tale of those sad lovers—Andrew seated at her feet, absorbed too as deeply—the stately and noble Countess of Mortoni, and the beautiful Sancha, whose dark eyes streamed with tears for the passion and sorrows so pathetically described—these would have defied the skill of the boldest limner! When the canto was finished, Joanna said, with a breath so deeply drawn as to resemble a sigh,—touching her husband's hand—

"We must not list such another tale of grief, *caro mio;* 'twill need a night of pleasant dreams to remove the gloom it hath caused me. I pray you, command your minstrel hither; let us have a livelier song ere we separate, to prepare us for the morrow!"

And the minstrel was summoned, and gay and varied was the converse, as they dwelt, with all the love of splendor so natural to youth, upon the magnificence of the approaching coronation. Festivals and spectacles, without end, in celebration of the day, were in prospect; "It will be long," said Andrew, half regretfully, "ere we enjoy again such tranquil days as we have passed among these shades!" Soon all was stillness in the royal abode; the Hungarian attendants of the King sunk in sleep and wine, and the monks of the convent, having retired to their short repose, before the returning hour of matins.

Meanwhile a group far different from the peaceful one within the walls, stood at no great distance under the shelter of a knot of tall cedars, whose dark verdure increased the gloom of night. Eight or ten persons on horseback, attended by several grooms, might be seen; the bands of their hoods drawn closely around their heads,

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and the coarse cloaks in which they were muffled effectually concealing their persons. One wore a brown fur coat, another a monk's cassock, another a pilgrim's gown; but these habiliments were evidently assumed for the purpose of disguise; and the flowing beards, and rich apparel now and then visible beneath the coarse mantle, proclaimed them cavaliers of rank. The one who appeared the leader was mounted on a horse, armed as if for the encounter; the head of the animal protected by a species of helmet composed of plates of steel, from which hung a number of small chains singularly interwoven, and forming a kind of mask; the neck, breast, and flanks, also defended by mail, with a space left for the spur opposite the huge stirrup. From the top of the rider's cloak peeped out the rim of a jazeran or shirt of mail; a huge sword, with hilt of solid brass hung at his side, and at his saddle bow a heavy battle-axe. He was evidently a man past the prime of life; and there was an air of nobleness about him that suited ill with the apparent purpose which called for such precautions on the part of his companions. The party dismounted beneath the shadow of the cedars, and giving their horses to the care of the grooms, they emerged from the wood without a word being spoken. At that moment a range of feathery clouds, that had obscured the heavens, was rent asunder by the wind; leaving a track, as it were, of the dark blue sky extending far upwards, studded with pale stars.

"It is an omen!" cried the leader, in a subdued voice, grasping the hand of his nearest companion,—"lo! yonder, how the serene space opening on our path leads straight to the monastery! How say you, my wisest of sages!"

"Mars and Jupiter, both in Gemini! a conjunction fatal to princes!"—answered a voice near him, in the same low tone.

"Then onward,—we must not lose the propitious moment, for the heavens sojourn not!"—said the first speaker; and muffling himself more closely, he led the way, followed by the others in mysterious silence, along those alleys and groves which had so lately witnessed the sportive recreations of royal guests. The silence that reigned over the regal pile was unbroken even by the sound of their footsteps, so noiselessly did they move,—and they were already within the shadow of the wall.

The stately building which contained that night the sovereigns of Naples, had been fortified and garrisoned in the time of Charles of Anjou, by a baron adhering to the adverse party, on whose account the town received its name,—Aversa,—which superstition considered ominous of the destruction it was to bring on the posterity of that ambitious prince. It was built in a quadrangular form, the rough walls guarded with battlements, and its base formed of vast heavy masses of hewn stone. On its southern side rose a square tower, with walls projecting at intervals like those of the main build-

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ing, and spaces in the embrasures for a troop of cross-bowmen; furnished also with double ranges of arched windows, ornamented as well as the rude architecture of the period of its creation permitted. The great gate was at the right of the tower; it had been formerly reached by crossing a ditch, over the iron drawbridge; but the peaceful and pious brotherhood, at present inhabiting the castle, needed no such defence; and the moat had been suffered to dry up, and the drawbridge to rust, half ruined and imbedded in clay. Nevertheless, the steel-clenched and heavy-barred portal, which was now guarded by two stout soldiers, showed how difficult it would still be to enter the place against the will of its occupants.

One by one, that strange band filed along a narrow path running to the right, till they reached another portal on the northern side, where, by a solitary torch, gleaming like a star in the surrounding darkness, a sentinel leaned listlessly, his corslet and the head of his shouldered partisan flashing in the uncertain light. Here the intruders paused a space; the foremost was challenged by the sentry, but ere he could reply, the individual we have before noticed as chief among them, strode up, and in a hoarse rapid whisper commanded him to be silent. Then turning to the sentry, he held up a ring of peculiar form.

"It is the Prince's signet," said the soldier, hesitatingly,—"yet, an it please you———."

"Fool," said the other, "he rushes on his fate! I tell thee I have business with the King that brooks no delay. Dar'st thou dispute our entrance?"

"I dispute it not, noble Artus," said the sentry, giving way, and bowing with the deepest reverence.

"Ha! thou knowest me!" muttered the leader; then turning hastily to some of his companions, he pushed the soldier towards them. "Take him without," whispered he, with a meaning gesture, and touching the hilt of his weapon. "The rest follow me, for our work brooks no ruffling!"

Two of the disguised cavaliers led out the unsuspecting sentinel to perish for his unwary recognition; the others entered the spacious court. Its gothic arches were silent and gloomy; the vast staircases leading to the chief apartments, which had once been adorned with rich tapestry, had now an empty and desolate aspect; and as the fitful lamplight fell on the faces of the mysterious group that stood there,—apparently in hurried consultation, ere they proceeded to consummate the deed they were bent on,—they might well have been taken for a troop of malign spirits, intent on some act requiring gloom and horror to aid its commission.

Is there a faculty in the human soul that can discern the shadow of coming evil? Alas! so helplessly blind is man's nature, that he sports on the brink of the abyss; if heaviness overtake him, it pro-

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verbially "foreruns the *good* event." Certainly, that night no warning dream hovered over the pillow of the young King, who, called up on pretence of important business, quitted his couch for the last time!

Presently a slight bustle was heard in the galleries, and the Chamberlain, with haste that startled even the attendants of the Queen, entered the apartment of Andrew, and informed him a messenger from Naples was in waiting. The unsuspecting Prince instantly left his chamber, and meeting one of the Queen's ladies, jestingly rallied her on the late hours she was keeping; then hastened to a neighbouring gallery, where awaited him impatiently, not the courier, but the conspirators—thirsting for his blood. Mystery—fearful, impenetrable mystery—broods over that catastrophe,—short was the struggle—but the groans of the wretched victim, though half stifled by the assassins, and growing fainter and fainter as he was dragged towards the fatal balcony, maddened them with dread of interruption—till they reached the open air—where, in the cool sweet light of Heaven's stars—amid the soft perfume of the orange groves—a deed was done, which was to brand the whole realm with its abiding curse! The murderers paused not for an instant till their hellish work was complete.

"It is well done, and safely!" growled one of them, as the body fell heavily to the earth;—"let us bury him, and be gone." They descended hastily from the balcony.

"*Cospetto.* The turf will tell no tales!" said the leader with exultation. "A pretended excursion to Hungary shall account for his disappearance; and we may bless the fates who aided us, that no spying demon stood near."

Even as he spoke, it seemed his words had conjured up an apparition,—for a figure in white, which to their craven hearts might well wear the aspect of an accusing spirit, stood within a few yards—its outline faintly visible in the gloom—its arm extended rigidly—as if pointing towards the dead body!—Stunned as by a thunderbolt the murderers stood for a second's space; the next moment, casting down mattock and steel, they fled in every direction, none daring to look behind! Scarce had they vanished in the clustering foliage of the gardens, when a succession of wild shrieks, bursting from the lips of the figure, who turned and fled back into the building with the speed of terror, attested its humanity. Loudly did those fearful cries ring through the silent corridors—rousing the startled inmates of the convent from their repose—bringing the monks from their remote cells, and, like a troop of frighted deer, the dames and lords and vassals of the royal train. Ere many minutes had elapsed the tramp of horses was heard without; a party of barons who had arrived late in the evening to escort the sovereign on the morrow to Naples, summoned by the wide spread alarm, rode tumultuously

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up, and heedless of ceremony rushed into the gallery, now crowded with terrified men and women; the flashing of their weapons in the torch-light adding to the fright of the females, who had hastened from their couches to the scene of confusion. And where was she, who was most deeply concerned in this tragedy? The Queen, at the first alarm, on rushing to the door of her apartment found it barricaded on the outside; the felons who designed her husband's murder had taken such means to prevent her egress—or his flight into that place of refuge! The Hungarian maid whose appearance in the garden had dispersed the assassins, had burst open the door in her frantic terror, when she rushed to communicate the tidings; and her unhappy mistress was now in no state to meet or receive the nobles, who in confusion and dismay, entered the chamber.

The Queen lay on the floor where she had sunk in the first moment of amaze and horror—her whole frame convulsed—her face pallid as marble—her white lips quivering—her bosom, veiled only by her disordered hair, laboring with convulsive sobs, as if the overcharged heart would burst its frail prison. Suddenly, as the clanging steps of approaching intruders roused her, and the tumult of voices in the ante-chamber, she half started from the ground; a fierce and frenzied brightness gleamed in her eyes—while her unconscious fingers grasped her locks wildly.

"Traitors!" she shrieked—in notes of fearful intensity;—"traitors—ye would slay your Sovereign! I am beset in mine own palace—aid—aid—for the love of the Holy Virgin! Bid our trusty Raimond hither—he will face them all for my rescue! Will none give aid? Will none save the Queen! Or give me but a sword—ourself will hold them at bay till succor come!" And she flung her white arm aloft as in defiance.

"Be calm, gracious mistress," said one of the knights; "here are none but your loyal servants, who would die for your safety!"

But words could not lay the phantoms her excited imagination had conjured up. "What! kill the King!" she cried in a voice of heart rending despair. "Louis—Louis—was this thy work? Vaunt thy love to a Queen! O false and traitorous, who hast stung the bosom that cherished thee! Set thy foot in blood to mount a throne! The storm is awake, and dearly, dearly, shalt thou abye this day!"

The sensation her words excited was evident in the sudden movement among the knights and barons. "Heard you, heard you?" muttered the iron Count of Lucera, a brother of the house of Pipini, who had been favored by Andrew; "by the rood—but her madness savors of reason!"

"But the Prince is in Florence—" suggested Raimond de Baux.

"Tush, thou speakest like a fool!" returned the Count; "see you not how remorse is struggling at her soul? Look, how her

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fingers clutch at nought, and the foam gathers on her lip! Doth sorrow thus demean herself?"

"Stand back!" cried the deep voice of Philippa, the Catanese, who now pressed forward, signing with an air of command the barons to retire; "stand back, gentlemen, for very shame, if not for courtesy and seemliness! Stand ye there to gaze upon your sovereign, thus disarrayed, and in the abandonment of grief and terror—as though she were some serving damsel? My Lord of Lucera, what list ye to read in the convulsed brow and quivering lip of one distraught with agony? 'Tis a fair spectacle, certes, and a fitting one!—For shame!"

"Proud dame!" replied the other, angered by her taunt, "it doth behoove thee to tremble at the revealings of yonder wretched lady's frenzy! I wot well thou wast her counsellor!"

The aged dame turned her dark eyes full on the speaker, they flashed such majestic scorn as called the flush of shame even to his bold brow.

"False knight!" she cried, "discourteous gentleman! Hence! repeat thy base words hereafter, if thou darest, in presence of the majesty thou hast insulted! Would, would I were a man, but for ten minutes' space! But it shames me to be moved, even to righteous anger, by such as thou!"

"I espouse the quarrel!" exclaimed the impetuous Francis de Baux, eagerly advancing; "against him who dares fling dishonor on our royal and hapless mistress! Count of Lucera, in presence of this company, for the words thou hast spoken, I declare thee a false and disloyal cavalier!—and am ready to make good my cause against thee with sword, or lance, or dagger, on foot or on horseback! And God show the right!"

"Peace!" interrupted the Catanese, "peace, foolish boy! Take back thy gauntlet—is this a time to vaunt thy chivalry? An thou wouldst do good service—withdraw these men, that I may aid my mistress!"

They were interrupted by a shriek from the Queen, so wild and loud that the vaulted apartment rang, as it pierced like a sword the ears of every one present. The Queen sprang to her feet with sudden impulse, her brow flushed, her arm extended, her eyes flashing with excitement, like those of some youthful Pythoness full of the oracular presence. "Goes it thus?" she cried; "then we will forth on the instant! Hoa! saddle us a steed! we ride this night for Naples! Ourself will lead the brave troops. Ha! deem ye this sight of blood had unnerved us? Iron as ye are—Joanna fears less than ye!"

She tottered a few paces forward, but the strength inspired by frenzy was already gone; her color faded; her arm dropped heavily to her side, and she swooned in the arms of her attendants.

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In a hasty council held among the nobles, it was determined to convey the sovereign with all speed to Naples; that preparations might be commenced without delay for the interment of the unfortunate Andrew, with the ceremonies due to his rank; and investigations set on foot by the proper authorities for the discovery of his murderers.

The gray tints of dawn were stealing over the eastern sky, when the company, escorted by a train of armed vassals, left Aversa on their mournful progress to the capital. Joanna had only recovered from her swoon to be racked by keener mental agonies; and again to find relief in temporary insensibility. "Stunned by grief, I had well nigh died of the same wounds," are the words of her own letter to the King of Hungary, referring to the occasion; and they well describe her situation. As the procession moved on—the attendants closely surrounding the covered litter that bore the half lifeless form of the Queen—the unnatural silence that prevailed—broken only by the monotous tramp of their steeds, but, save at intervals, by not a single human voice—showed what deep dismay, what dark apprehensions, had taken possession of their bold hearts. Numbers of the peasantry watched them as they left the convent; one of this class, a tall, spare figure, who leaned against the outer wall, was accosted by a ragged veteran, as the cavalcade disappeared.

"Corpo di Dio! It is well I see thy face at last, Rodolfo!"

"And wherefore?" returned the hitherto mute figure.

"I had but now taken out mine image of San Giuseppe, and was fain to touch thy cloak with it to see an 'twere not some goblin that stood there, so motionless and deaf to all questioning!"

"It has been a fearful night," murmured his abstracted companion, "and will bring a fearful chastisement on the land! A deed less horrible than this hath God deeply avenged in our city, in times past."

"Of what speakest thou?"

"The death of the young and noble Conradin! Know you not that when he stood on the scaffold, soon to be crimsoned with his guiltless blood—guiltless of aught save royalty—he bequeathed his vengeance to the skies? I have heard my grandsire repeat the tale. The day on which the courier reached Naples with the tidings—and Charles of Anjou feasted with his barons—throughout the city then was heard an horrible clamor—and a gloom deeper than that of night overspread the face of Heaven! Save the roaring that seemed to issue from the bowels of the earth, there was no voice heard; the birds fled affrighted to their nests; the very dogs poured forth such piteous wailings, as moved the heart to hear! When evening came, the dense cloud that veiled the stars shot forth vivid lightnings, and deafening thunders pealed in the howlings of the blast. The ground shook as in an earthquake; and the form of a monster*

* This superstition is still current in some parts of Sicily.

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was seen to rise, amid lurid smoke, from its cloven bosom. Many palms was his height; his face glowed like heated steel; he stood on a car drawn by fierce beasts, that moved slowly through the city, their eyes emitting fire, like volcanic sparks, chasing a crowd of terrified citizens, who rushed on all sides towards the temples, imploring the succor of the Holy Saints. Onward moved the fiend, regardless of their fear, till he reached the Capuan hill, and the Monarch's palace, on the walls of which he wrote with fiery finger, ere he vanished, these terrible initials——."

A group had collected round the speaker; he paused impressively before he proceeded—

"M. N. M. P. V. D. Slumber visited not that night the King's couch; for he saw, and trembled at that mysterious warning, which none of his sages could interpret,—when a lady of strange visage, whose lineage none could tell, majestic and of exceeding beauty, declared she would unfold the writing, if Charles had heart to listen to the prophecy. "Why should I fear what must be, O maiden?" said the King.

"The letters signify," answered she, "thy destiny—*la tua Morte Non sarà Morte, ma Principio di Vita di Dolore!*" *

"Terrible and righteous are the judgments of the Lord! Remorse and desperation dwelt thenceforth in the breast of the monarch;—for is it not written—'Their sword shall enter into their own heart, and their bow shall be broken.'"

A NIGHT-SONG.

FROM THE GERMAN OF MAHLMANN.

Earth sleeps,—Heaven watches,—take thy flight
My soul, and thither rove;
The world of angels, glorious, bright,
With solemn grandeur through the night,
Draws man above.

Longings their heavenward flight assay,
From grovelling cares of time;
Hope cheering cries, life's weary way
Leads upward through the stars' array,
To glory's clime.

The angel that by dust is checked,
Doth to his brethren haste,
Oh, land of home, with splendor deck'd,
Thou giv'st, when all earth's hopes are wreck'd,
Peace, strength, at last!

* Thy death shall not be death, but the beginning of a life of pain.

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

(No. III.)

JOEL R. POINSETT.

(*Concluded from page* 368.)

Finding his health considerably impaired by this long and fatiguing journey, during which he had encountered many privations, he determined to visit Tœplitz, in Bohemia, celebrated for its hot-springs. In the course of his journey thither, he passed through Königsberg, where the Prussian Court resided during the occupation of Berlin by the forces of Napoleon. He was presented to the King and Queen, who occupied a small country house in the neighborhood of the city, and, indeed, continued to live there until the French troops had retired from their capital. The Queen had the reputation, at that period, of being among the most beautiful women of Europe,—and was celebrated for her accomplishments and engaging manners. She did not hesitate, in her interviews with the young American traveller, to express the mortification she had suffered, and her deep humiliation, at having been compelled to sue in person to the French Emperor, for the terms of peace to which he consented to accede, in their remarkable interview at Tilsit. "It had been supposed," she said, "that her personal intercession might obtain from the elated conqueror better terms for Prussia;—and considering herself as having been the chief instigator of the war, which had ended with such deep disaster to her country, she could not refuse to use her best endeavors, to avert some of the evils which her partisans at court had contributed to bring upon her subjects." Mr. Poinsett observed, that it had been rumored at St. Petersburg, that she had experienced uncourteous treatment on the occasion, from Napoleon. This she promptly denied;—she had not succeeded in her suit, but she said that in no other respect could she complain of the personal conduct of the Emperor towards her. As the King walked after dinner through the limited grounds that surrounded their retreat, he recurred, with apparent interest and emotion, to the same scene,—and among his other remarks observed, that although he could not have expected to terminate a disastrous war by an advantageous peace, he had yet a right to complain of his ally, the Emperor Alexander, who accepted from Napoleon a portion of the territory of Prussia, though he had previously encouraged, by every means, the war party in that kingdom;—"a party," added the monarch, with a sigh, "to which I did not be-

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long." The Queen talked with enthusiasm of the formation of the Tugenbund—the "society of friends of virtue," which had just been formed, and she founded upon it high hopes for the future freedom of Germany. She did not live to see these realized,—but it is not to be doubted, that the combinations formed at that period produced results far more extensive, than the sovereigns by whom they were sanctioned then foresaw, and were the foundation of liberal institutions in many of the States, which will eventually spread free government through the whole of Germany.

At Tœplitz, Mr. Poinsett met the celebrated Prince de Ligne, whom he had formerly known at Vienna, and who, though upwards of seventy years of age, still retained much of the vivacity and fund of anecdote, by which he had been distinguished during the greater part of the previous century, in the various courts of Europe. Having made a short stay at Tœplitz, he visited Carlsbad, from which place he proceeded to Paris, where he remained several months. It was at the period when Napoleon, having defeated the Prussian and Russian armies, and established the continental system, as the most effectual mode of warfare against England, felt himself at the summit of triumph and success. Austria, alone, of the continental powers, seemed disposed to persevere in resisting his unlimited sway,—and Mr. Poinsett happened to be present at the well known scene in the palace of the Tuileries, when the haughty Emperor proclaimed his determination, that she, too, should bow before him with the rest. It might, indeed, be called the declaration of that war, which by a series of skilful manœuvres and brilliant victories, led to the capture of Vienna itself, and the marriage of the conqueror with a princess of the House of Austria. As soon as the Emperor entered the saloon in the palace, where the various ambassadors with their suites, and the great officers of his own Court, were already assembled, his eye immediately sought Count Metternich,—and walking rapidly up to him, he asked, in a haughty tone, what was the meaning of the warlike preparations of Austria, the rumor of which had brought him back from Spain. Metternich, perfectly collected, replied with calmness and respect, that the Emperor had called out the Landwehr, or national militia, merely as a measure of precaution and defence. "Defence,—defence!" said Napoleon, contemptuously—"who thinks of assailing him?" Then changing his tone, he added slowly and sternly—"I tell you what, Sir Count, the Emperor, your master, has deceived me once, but he shall not do so again." When the Emperor retired and the circle broke up, it must have been amusing to witness the hurry among the diplomatic corps, of which each was eager to despatch the news of a scene so ominous and remarkable, to his court.

While Mr. Poinsett was in Paris, intelligence reached there of the insult offered by the British to our flag, by the attack on the

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Chesapeake frigate. Regarding war with Great Britain as inevitable, he immediately left France, and on his arrival in the United States, applied to Mr. Madison for a commission in the army. The President at once so far assented to his wishes as to express the intention of appointing him Quarter-Master-General,—a branch of the service to which he had paid particular attention,—but owing to some objections on the part of the Secretary of War—then Mr. Eustis—this arrangement was not carried into effect. In lieu of it, a proposal was made to him to repair to South America, to ascertain correctly the state of the revolution which had just occurred there; and the prospect of immediate hostilities with England being less imminent, he accepted the offer and sailed at once to Rio de Janeiro. After a short stay there, he proceeded to Buenos Ayres—was received by the Junta which administered the actual government, with great distinction—and proceeded in forming commercial relations with them, which were the basis of a subsequent and more definite arrangement. He then crossed the Andes to Chili, where the President, Carasco, had been lately deposed, and a Junta of Government, formed under the pretext of holding the country for Ferdinand, the exiled sovereign of Spain, but with the secret intention of ultimately proclaiming independence. Josè Carrera, the person of most influence—in fact, the actual head of the Government—received Mr. Poinsett with the most flattering welcome, and manifested every disposition to establish friendly relations with the United States. In Peru, however, a different ascendency prevailed; the first symptoms of revolt had, indeed, shown themselves there, as in the other colonies, but the Spaniards had proved sufficiently strong to repress them, and maintain the connection with the mother country. When, therefore, it became known at Lima, that the subject of declaring war against the United States had been discussed in a secret session of the Cortes, at Madrid, the Peruvian authorities proceeded to act at once as if hostilities had begun;—they adopted the most offensive measures against the American commerce;—seized and condemned, on frivolous pretexts, several of our vessels, found upon their coast;—and, at length, proceeded to capture ten American whale ships that were lying at Talcahuano, a port of Chili. Mr. Poinsett could not remain passive under these outrages. No American armed vessel was there at the time; but he applied to Carrera, and the actual government of Chili,—reminded them of their friendly professions,—and succeeded in obtaining from them a small force, of which he immediately took the command in person. With this, he proceeded to Talcahuano,—drove the Peruvians from the place,—and liberated the American vessels, which he found in their possession.

While Mr. Poinsett was in Chili, the news reached there, of the declaration of war between the United States and Great Britain. It

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had been understood, when he left home, that on the occurrence of this event, he might return immediately,—with a promise of a commission in the line of the army. He resolved, at once, to do so. The naval force of the enemy, in the Pacific, rendered it impossible, however, to embark on board of a merchant vessel, without imminent risk of capture; but as soon as the Essex frigate, under the command of Commodore Porter, arrived at Valparaiso, he repaired on board of her, and made arrangements to return in her to the United States, when her cruise in the Pacific should be terminated. He accompanied Commodore Porter on one of his expeditions; he was on board the Essex when the British frigate and sloop of war, Phœbe and Cherub, under the command of Captain Hillyar, came into the bay of Valparaiso; and he had subsequently the painful satisfaction of witnessing the prolonged and gallant contest, of Porter and his brave officers and crew, against so superior a force, and in a position where accident had placed them almost at the mercy of their foe. When Captain Hillyar subsequently agreed to permit Porter and the survivors of his crew, to return in a cartel to the United States, Mr. Poinsett applied to be included among the number;—his request was positively and harshly refused by the British commander, who declared that he would not suffer the arch-enemy of England, as he termed him, to go back to the United States, while the two countries continued at war; and he added that he should be held as a prisoner if he was ever taken out, of a neutral territory. Every prospect of return, by the Pacific being thus cut off he resolved to cross the continent to the Atlantic. Passing the Andes, in the month of April, covered as they were with snow, and the roads scarcely passable, he reached Buenos Ayres. He there found a British squadron lying in the La Plata,—but having made arrangements with a Portuguese vessel, about to sail for Bahia, to lay to for him at Punto Indio, he embarked in a small boat during the night, and dropped down the river in safety. From Bahia, the only conveyance was a vessel bound to Madeira, on board of which he immediately embarked; but on his arrival there, he learned that news of peace between the two countries, had been received a few days before.

Soon after his return to South Carolina, Mr. Poinsett was elected a member of the State Legislature. The prominent object of his attention there was the establishment of a system of internal communication, by means of improved roads in various directions throughout the State. His efforts resulted in the passage of an excellent law on the subject, the creation of a board of public works, and a plan for raising and appropriating suitable funds. He was, himself, placed at the head of the newly created board, and, in addition to his other labors in that position,—and they were numerous and useful through all parts of the State,—he personally superin-

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tended the construction of a road over the Saluda mountain;—a spur of the Blue Ridge,—which is still admitted to be among the best, if not actually the most perfect, of the mountain roads in the United States. It is certainly a noble, permanent monument of his spirit and usefulness.

In the year 1821 he was elected to Congress for the Charleston district; and was twice re-elected to that body. He took a prominent part in the most important debates that occurred, while he had a seat there. On all subjects, especially which were connected with the recognition of the independence of the Spanish American colonies, or with the political and commercial relations of those countries, his personal knowledge gave him great weight and influence, and, it cannot be doubted, proved of eminent utility, not merely in the discussions of Congress, but in the measures of the government. Indeed, shortly after his return from South America, and before he had a seat in the National Legislature, President Monroe had desired to send him as one of the commissioners whom he despatched to South America for the purpose of ascertaining the true situation of the newly established governments; but the nature of his public engagements at that time in South Carolina, prevented him from accepting the appointment. In the year 1822, the same President again tendered him a similar mission. Iturbide, encouraged by his rapid successes at the head of the Mexican army, had just before madly assumed the imperial diadem, and had expressed a desire to establish diplomatic relations with the United States. It was deemed important, by our Government, that correct information should be obtained, and Mr. Poinsett accordingly repaired to Mexico. He executed his delicate mission in a manner highly satisfactory. He perceived, at once, the frail tenure by which the self-created monarch held his throne—foretold, with accuracy, the period of its downfall—and strenuously advised that nothing should be done to connect his own country, in any way, with the destinies of a government so tottering and unpopular. He had scarcely returned home, when Iturbide abdicated the throne, and retired to Italy. On the mad attempt, in the summer of 1824, to regain the supreme authority, which terminated in his death, the President again proposed to Mr. Poinsett to return to Mexico in the character of Envoy Extraordinary;—but circumstances connected with his own political relations at home, rendered it expedient, as he thought, to decline the offer.

In the Presidential contest, at the close of Mr. Monroe's administration, Mr. Poinsett had advocated the election of General Jackson, though no one was more ready to give full appreciation to the talents and vast attainments of his successful rival. It being deemed indispensable, shortly after the inauguration of Mr. Adams, that the place of Minister Plenipotentiary to Mexico, should be filled, that President selected Mr. Poinsett, as eminently fitted to discharge the

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delicate and difficult duties that would be required, in the existing position of things in that country. He continued in Mexico until the summer of 1829, witnessing the various and exciting scenes which followed its entire liberation from Spain, and arose out of the violent, and often bloody, struggles of the conflicting parties, to obtain the ascendency in the government. It could not be expected, that the representative of an adjoining republic, whose influence in the affairs of the American continent, was so great, and whose institutions, serving as a model, were discussed and regarded with more or less favor, in the contests of the various partisans, would escape considerable notoriety, or fail to be the subject to admiration or censure, according to success or discomfiture, of the contending parties. This Mr. Poinsett could not avoid. Though he carefully refrained from all interference with the internal concerns of the country,—except, perhaps, in a single instance, when his efforts, with the knowledge and consent of the government, were used to prevent a civil war,—yet he could not escape censures as bitter as they were unjust. His friends were naturally selected from those whose principles were liberal and even democratic; like Mr. Jefferson, when he formed in Paris the centre around which Lafayette and the real friends of civil liberty assembled, Mr. Poinsett sought, and was sought by, those who desired to see established in Mexico real republican institutions, and a form of government truly representative. It was natural that the aristocracy and the hierarchy should attribute, in some degree, to him, the loss of their influence over the people, which they perceived was at an end, and which they ought to have assigned to deeper and truer causes. But they could not do so. Acting on the same false views of men which have distinguished those classes in every country, they could trace nothing to the feelings, the reflections, or even the indignation, of the great body of the people; they found a more easy solution in the interference or the intrigues of a minister from a foreign republic. The European Spaniards, especially, regarded him, and represented him, as particularly inimical to themselves;—bitterly disliking the increase of power, which the native Mexicans were constantly obtaining, they directed their hostility against a diplomatic functionary, who would not side against them;—and though he constantly exerted himself to protect his accusers from persecution, he never ceased to be the object of their misrepresentation. Only waiting for a pretext to connect him with the political dissensions of the country, the aristocratic party lighted with avidity on the innocent proceeding of his obtaining, from a masonic institution of the United States, charters for five lodges, that were already actually established at the Mexican capital. The forms of most, if not all, the lodges, then existing in Mexico, were derived from those of Scotland;—but a superior antiquity and correctness of usage being attributed to

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those derived from York, in England,—which was the case with the masonic institutions of the United States,—the lodges in question requested Mr. Poinsett to send for the charters; which he consented to do. He previously received, however, an assurance, from two members of the cabinet, that the Government was acquainted with, and did not disapprove of the intention. The request was complied with,—the charters were sent for, and received, and the York Masons were duly installed by Mr. Poinsett, at his own house. It very soon appeared that the Scotch Masons,—among whom were very many influential and wealthy members of the aristocratic and ancient Spanish parties,—were determined to connect this act with their political divisions, and also to enlist, if possible, any feelings or jealousies that might be supposed to spring from masonic rivalry. They immediately marshalled themselves against the York lodges, as an opposing faction, and made every effort, from that time, to put them down as political adversaries. As soon as this state of things became apparent, Mr. Poinsett withdrew from all communication with the lodges.

The contest of the two factions, however, continued with unabated violence, and the effort was persevered in, to connect the American Minister with all the movements of the liberal party. General Bravo, who was Vice President at the time of his arrival in Mexico, and who may be designated as the head of the Scotch, or aristocratic faction, singled out the representative of the great northern republic, as an object of his constant censure and attack. On the downfall of Iturbide, he had eagerly endeavored to procure the establishment of a central form of government, which might gradually subside into a monarchy, and had himself aimed to be the first President. The election of General Vittoria, who was the candidate of the popular party, defeated his plans. Being elected Vice President, however, he was enabled to organize his partisans, and to give direction and force to their efforts, sustained as they were, by great wealth, and feebly opposed by Vittoria, who displayed, from the moment of his elevation, total inefficiency and constant vacillation. In his manners and appearance, Bravo was gentlemanly,—and in the course of his command, during the revolutionary struggle, was distinguished for his humanity. But he was extremely vain and ambitious,—and from the moment he perceived that the arrival of the American Minister seemed to increase or to concentrate the zeal of the liberal party for republican institutions, he marked him as an object not to be neglected in his political movements. Notwithstanding the prompt explanation, and the harmless character, of the circumstances connected with the installation of the York lodges, he made it a subject of public remonstrance, and succeeded, by his intrigues, in persuading the legislatures of Vera Cruz and Puebla,—which had been elected during a temporary ascendency of the aris-

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tocratic party in those States,—to petition the General Government of Mexico to send Mr. Poinsett out of the country. Finding, however, that in this, and in other instances, he was unable to control the actual administration,—trusting, too, in the power and resources of his party,—and vain of his military abilities,—he determined, at last, to attempt a revolution by force. He assembled a small army, and after menacing the capital, retreated to Tucalingo, where he issued a manifesto, declaring his determination to reform the Government, and to overthrow the ascendency of the York, or Democratic, faction. The President immediately despatched a considerable force against him, under the command of General Guerrero, who was considered the principal military chieftain of the republican party, and who, from having Indian blood in his veins, derived a vast influence over that class of the Mexican people. The result was the entire defeat of Bravo, who was brought a prisoner to the capital and subsequently banished from the country.

The indirect effect of these events was to embitter, in no small degree, the feelings of the aristocratic party against Mr. Poinsett. They insisted on connecting him with the overthrow of Bravo, and especially with the defeat of those political principles which they had hoped, through his energy, to establish. Nor did these feelings bring the American Minister into conflict with the Mexicans alone; they had the unfortunate effect of placing him in unpleasant collision with his diplomatic colleagues of England and France.

The English had, before his arrival, gained an undue ascendency in Mexico; their government attached great importance to a mission which was to open and establish commercial relations with the new republic; and the enterprising Minister then at its head—Mr. Canning—had given to the first commissioners he sent there—Mr. Morier and Mr. Ward—unlimited means to purchase golden opinions by presents and entertainments. It was natural they should look to the aristocratic and the ecclesiastical parties;—with them their alliance was formed, and their success complete. Bravo had been their candidate for the Presidency, at the time Vittoria was elected,—and their mortification was great, when the overthrow and imprisonment of the former confirmed the triumph of the democracy of numbers, which they had always regarded with unconcealed contempt. What was really the effect of republican institutions, they persisted in regarding as the work of the American Minister, and the deference paid to his opinions by many Members of Congress and persons of talents and political distinction, only served to strengthen this opinion. When Mr. Canning, annoyed at the pretensions of Mexico, determined to withdraw the negotiations from that country and transfer them to London, it was proposed that Gomez Pedraza, a prominent partisan of the aristocracy, and known to be friendly to England, should be sent there as Minister Plenipotentiary, with-

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out the confirmation of the Mexican Senate, which was then in session, but whose assent to the appointment could not, as was well known, be obtained. The legality of such an act became a subject of discussion both in and out of Congress, and the provision of the Mexican Constitution being similar to that of the United States, the American Minister was naturally consulted as to the uniform construction in his country of the parallel clause. His opinion, candidly given, that the advice and consent of the Senate were necessary to constitute a national representative, was considered and treated as an unfriendly interference. These political causes of difference were augmented by an unfortunate dispute at a public table. The occasion was a celebration, by the numerous and respectable Irish, then in Mexico, of St. Patrick's day. In replying to a toast, complimentary to his own country, Mr. Poinsett, knowing that Mr. Canning, the Prime Minister, and other members of the administration, were in favor of Catholic emancipation in Ireland, took occasion to express the hope and the belief that it was now at hand. This sentiment, which was received with loud cheers, was openly resented by Mr. Ward, as an attack on the British Government; and subsequently, when Mr. Poinsett, from an honest desire to suppress, what might occasion unfriendly prejudices in a Catholic community, succeeded in preventing the publication of the proceedings, that act was quoted as a proof of his improper influence over the press.

So with the French Consul and Chargé. The treaty made by the Mexican Minister at Paris, had remained some months unacted on, when, one day, the President, Vittoria, informed the American Minister that the French Consul attributed the delay of the Senate to his influence, and asked him what were his objections to the treaty. On his reply that he had never spoken to a Senator, nor expressed an opinion in regard to it, the President himself, led the way to a conversation on its stipulations, which were, in fact, extremely unfavorable to Mexico, since they gave the commercial privileges, enjoyed by the United States and England, to France, without a similar recognition of Mexican independence. Mr. Poinsett immemediately communicated the conversation to Mr. Martin;—but the effect of his imprudent zeal was seen in the withdrawal of the treaty by the President, from the Senate, and it became an easy matter for the French functionary to screen himself by attributing the consequences of his own blunder to the intrigues of another.

As the end of the presidency of Vittoria approached, the two parties brought forward their rival candidates. The defeat of Bravo, a native Mexican descent, and a steady adherence to the republilican cause ever since the usurpation of Iturbide, gave Guerrero the prompt and universal support of the liberal party,—while their rivals, not venturing to take one of their own open partizans, selected Gomez

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Pedraza, who had occasionally acted with the republicans, but was known really to entertain, on most questions, the sentiments of the aristocracy. On him they rallied all their strength, and although it was notorious that Guerrero had a large majority of the popular votes, it appeared, on the election in September, 1828, that he had the suffrages of only eight States, while his opponent had those of ten. The situation of government and society, at that time, in Mexico, was not such as to leave to the operation of peaceful remedies, the correction of this abuse of popular rights. The actual elevation of Pedraza to the Presidential chair, was not to take place, under the Constitution, till the following April. The republican party, therefore, determined at once to prevent it by a resort to arms, and their measures were promptly concerted and chiefly directed by Santa Ana and Zavala,—the one a soldier who had already gained great reputation, and the other, a statesman of unquestioned ability.

Santa Ana was the first Mexican of distinction that Mr. Poinsett knew in that country. He found him the favorite lieutenant of Iturbide, and the Governor of the State of Vera Cruz, when he landed there in 1822. In the winter of the same year, the Emperor came to Xalapa, a town in that State, for the purpose, it was understood, of making a negotiation with the Spanish Governor, who still held possession of the castle of San Juan de Ulloa. In the course of his visit he sent for Santa Ana, who at once repaired to Xalapa; for some reason, Iturbide became exasperated—reprimanded him with much severity—and dismissed him from his command. Santa Ana, the instant he left the imperial presence, mounted his horse and rode night and day to Vera Cruz. On arriving there, he harangued the troops—hoisted the standard of revolt—and joining with Vittoria, completed the overthrow of Iturbide. He sided with the republican party in elevating Vittoria to the Presidency, and had expected to receive the consideration to which he thought himself entitled, on the formation of the new administration. Being passed over, however, and failing in an attempt to raise a personal party in his own behalf, he doggedly retired from public affairs, until the political contest, for the succesion, arose between Guerrero and Pedraza. He of course took part with the former, and was at Xalapa when the news of his rival's election reached there.

Zavala was the earliest friend of Mr. Poinsett in Mexico, and was confessedly the ablest man in the country. He was, from his earliest days, a thorough and enthusiastic republican. When very young, he had rendered himself notorious by his determined resistance to the Spanish rulers, in his native province of Yucatan, and he suffered, for many years, a close confinement, for political offences, in the castle of San Juan de Ulloa. The revolution in Spain, and the establishment of the Cortes, delivered him from imprisonment. His countrymen immediately sent him, by a unanimous vote, to repre-

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sent them in that body; and there, with Cañedo and Arispe, he was distinguished for uncommon eloquence and zeal, exerted in behalf of the rights of America. On his return to Mexico he took a leading part in public affairs—sustained the measures of the liberal party—and soon after the arrival of the American Minister, personally attached himself to him, not only as a man, but as the representative of a country whose institutions he was ardently desirous should be established in his own. He too, from motives far purer than those which actuated Santa Ana, supported the election of Guerrero as the successor of Vittoria; and being, at the time, Governor of the State of Mexico, the influence of his position, as well as his distinguished abilities, naturally placed him before the country as one of the most prominent of the party which was defeated in the choice of Pedraza by the States.

As soon after this event as possible, Santa Ana raised the standard of open resistance at Xalapa, and seized upon the castle of Perote. His military force, however, proved insufficient to sustain him, and he was compelled to fly to the mountains of Oaxaca, and was finally beleaguered in the capital of that province, where he would probably have been subdued, but for a movement made by Zavala, with better judgment and success. Escaping from the city of Mexico, he united himself with General Lobato, and they succeeded in rallying a battalion of militia, with some companies of troops of the line, in support of the republican cause. With these forces they made an attack at night, on the Accordada,—a large building on the outskirts of the city, which had been used as artillery barracks. The Government, after a vain attempt at negotiation, determined to oppose the republicans by force. Zavala and Lobato led their troops towards the centre of the city, in two columns;—the one along the main street, the other by a street parallel to it, in which the house of Mr. Poinsett was, and next to it that of Madame Yturrigaray, the widow of the former Viceroy. The government troops, to resist the passage of the invaders, erected a barricade across the street, in this immediate neighborhood. Numbers of the inhabitants, and especially the European Spaniards, who knew that they could hope for little mercy from the attacking party in the event of success, fled to the house of Mr. Poinsett, and sought a protection which was promptly and generously given. In the mean time the attack commenced; the cavalry of the invading force dashed up to the barricades, but were received with a murderous fire; the contest lasted for some time, and it was not without the sacrifice of many lives that the besiegers obtained possession of the battery. The whole scene passed beneath the windows of the American Minister and of Madame Yturrigaray;—frantic with fear, and just as the conflict was drawing to a close, that lady rushed into the balcony, on the front of her house, and flying to that of Mr. Poinsett, implored him to

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protect her. While giving her assurances that he would do so, and trying to calm her fears, a shot was fired at him, which passed through his cloak and buried itself in the shutter of his window. He retired within the house and adopted every measure to guard it against violence. This was scarcely done, when the irritated and triumphant besiegers assembled around the gate, uttering a wild shout and making a desperate effort to burst it open. They vented their rage in bitter imprecations,—declared that it was the asylum of their enemies,—and made every preparation for a fierce, and probably bloody, assault. At this moment Mr. Poinsett resolved upon his course of conduct. Directing Mr. Mason, the Secretary of the American Legation, to take with him the flag of the United States, they passed boldly out to the open balcony, threw out the flag, and both stood beneath its waving folds. The manliness of the act at once produced its effect,—the upraised muskets were lowered and the shouts were hushed. Mr. Poinsett addressed the crowd—told them who he was—and claimed security for all beneath his protection. He then retired, and having written a hasty note to Zavala, to inform him of what was taking place, proceeded himself, attended by Mr. Mason, to the gate of his house,—had it opened in the face of the dense crowd, which rolled back like a wave, and sent a servant on his errand through the midst of them. A party of cavalry soon arrived for his defence, and he had the satisfaction to redeem his promise of protection to Madame Yturrigaray, and every fugitive who had sought an asylum under his country's flag.

The success of the republicans was complete; they obtained possession of the city; and finally, when the National Congress assembled, the election of Pedraza was declared to be illegal, and Guerrero was announced as the lawful successor of Vittoria, and the President of the Republic. The hopes, however, which the friends of liberal principles had indulged from this event, were not destined to be realized; the new President was soon surrounded by his former enemies, who succeeded, by flattering his vanity, in driving away his old and tried friends,—amongst whom was Zavala,—and finally, in depriving him of command and hunting him to death. With the success of this faction, the attacks on the American Minister were naturally revived, and he found himself again the subject of their slanders, intrigues, and persecution. Nor was it against himself, alone, that they were directed;—the people of the United States were denounced as the bitter enemies of Mexico, and the most violent prejudices were instigated against them. So great was this excitement, that when information reached there, of the death of Mr. Obregon, the Mexican Minister, at Washington, who had put an end to his own existence, it was asserted that he had fallen a victim to the hatred of the American people, and the Mexicans were urged to revenge his death upon Mr. Poinsett. Placards to that ef-

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fect were posted at the corners of the streets, and even on his own door. As soon as he knew it, he walked through the city and among a crowd which collected around his house. They made way for him and greeted him as he passed;—had he avoided them the consequences might have been fatal.

It was evident that a residence thus become most harrassing to himself, could not be longer of service to his country. Accordingly, with his own assent, he was, in the summer of 1829, recalled by President Jackson, who did not forget, in his next annual message, to mention his services in a manner that could not fail to gratify him. He had, during his residence, concluded a treaty settling the boundaries of the two countries. He had also negotiated a treaty of commerce, though intervening difficulties had prevented its ratification before the termination of his mission. By the Constitution of that Republic, the advice and consent of both houses was necessary, and they differed in regard to an article, which required Mexico to deliver up fugitive slaves who should seek a refuge within her border. Mr. Poinsett had earnestly pressed this provision as essential to the peace of the two countries, and it had been acceded to in making the treaty. The House of Representatives, however, struck it out, and it was so finally ratified.

On Mr. Poinsett's return to the United States, he retired entirely to private life, in South Carolina. When, however, the deeply interesting public questions, connected with the rights of the States and the Union, arose there, it could not be supposed, that a man so prominent as a politician and a patriot could remain a passive spectator. On those events it would be alike fruitless and unpleasant to dwell. It is sufficient to say, that entertaining the opinions of the Union party, in opposition to Nullification, he advocated them with fearless zeal, and vindicated them with consummate ability. Even those opposed to him were not wanting in tributes to his talent, nor in doing justice, when the irritation of the moment had subsided, to his intrepidity, his generosity, and his high sense of personal and national honor. This was strikingly evinced on one of the earliest occasions that presented itself. In the year 1836, while at his mountain homestead, he was nominated by his friends as a candidate for the State Senate, from the district embracing the city of Charleston, where the strength of his political opponents, but a few years before, had formed a decided majority. He was now elected almost without opposition. In that more limited field of usefulness he displayed the same steady democratic principle, and the same devotion to useful business, which had distinguished him while in Congress some years before, and he may be said to have stood, if not at the head, certainly among the first, of those men, who, by their talents, have given to the Legislature of South Carolina a distinction, seldom surpassed in any of the other State Governments.

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From this scene of usefulness he was called by President Van Buren, immediately after his election, to a conspicuous place in his cabinet. His previous life had peculiarly fitted him to discharge the duties of the Department of War;—and it may be safely asserted, that none of his predecessors have done so with more general approbation. As a member of the Administration, his long tried and sound republican principles secure for him the confidence of the great party by which it was elevated and is sustained, and his zeal, abilities, attainments, and experience, are a guarantee to his country, that he is able to discharge his trust with usefulness and honor.

A life so active, as that which is here portrayed, might seem to have left little leisure for the cultivation of letters or science. To both, however, Mr. Poinsett has devoted no small share of attention. The museums of Charleston, Philadelphia, and New York, have been considerably enriched by collections in natural history and in local antiquities, which he has made in the course of his various travels. The state papers that have issued officially from his pen, are evidences of the clearness and vigor of his style, and the excellence of his arrangement as a thinker and writer—but in addition to this, the published works of which he is known to be the author, have earned for him a just literary reputation. His Notes on Mexico,—his articles in various periodical journals,—his pamphlets on many questions of political interest,—and his essays and memoirs, descriptive of his travels, and of the history of countries he has visited,—are all marked by research, originality, and an easy but energetic style. In public life, his speeches have been distinguished by the extent and variety of information they convey, while in delivery, they are always concise and clear, and rise, when occasion demands, to passages of finished eloquence and absorbing interest.

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SONNETS ON CHARACTER.

I.

WASHINGTON.

From early youth inured to manly arts,
  To curb the steed, explore the pathless wood,
  And court the dangers of the field and flood;
In shape, mien, manners, prowess, solid parts,
A MAN complete; with choicest gifts endowed,
  To guide the battle, and to rule the state,
  To bless his country, and to stamp him GREAT,
The world extolled, and kings in homage bowed!
Retired from public cares, serenely wise,
  No morbid hankering for departed sway
  E'er dimmed the lustre of his closing day;
But ripe in virtue, ready for the skies,
He lived—he died. Oh, who his worth can trace,
Pride of our land, and glory of our race!

B. F. B.

II.

NAPOLEON.

Genius, decision, energy, combined
  With matchless skill in war's destructive art,
  By these, a stripling chief, he "got the start
Of this majestic world;" his riper mind
Law, order, industry, to France restored;
  But false to freedom, dead to true renown,
  He claims, assumes, and wears a despot's crown;
Discards for power the wife he once adored;
Treads right in dust, makes free-born thought a slave;
  And not content with Europe's proudest throne
And fairest realms, for conquest he must brave
  Nature herself, within her frozen zone;
And now, just doom, twice exiled, none to save,
  Of all bereft, he pines and dies alone!

B. F. B.

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OUR NEGLECTED POETS.

No. I.

WILLIAM MARTIN JOHNSON.

(*Continued.*)

I HOPE the reader will be the more ready to receive this minute picture of East-Hampton with indulgence, when he shall consider the influence the place was calculated to exercise upon the mind of our poet, and that it was here it began to disclose itself most vigorously. When the small stock of money which Johnson had brought with him from his last school speculation, was again exhausted, he made a bargain, which, after the view I have given of the modes of thinking in East-Hampton, it will be seen, must have raised him considerably in the public estimation;—he contracted to pay his board there with a cabinet maker, by working for him two days in the week, leaving the remainder of his time at his own disposal for study. When it was seen with what readiness and finish the young poet schoolmaster could turn out chairs and tables, and all sorts of furniture, it was admitted that the village had never been graced by so miraculous a genius. Every door was opened to him, and he was the pride and the favorite of all, and especially, it would seem, of the young ladies. To his professional studies, however, he gave but little time; and how he could have derived the slightest benefit, even from his miscellaneous reading, seems unaccountable, for though he appeared to make extraordinary proficiency in every branch of general knowledge, he was never known to give more than half an hour to any one book, before he would fling it aside and take to another. Some of the time which was not engrossed by his mechanical labors, passed in acquiring a little French and Italian;—but the greater part of it in visiting from house to house, in playing upon his violin, and sometimes in playing upon the hearts of the young girls of the village, which he attacked both in prose and poetry, and, it would seem, not unfrequently with success.

The siege of a heart in the olden time, I believe, was apt to begin with a rebus,—and when affairs grew serious, it would come to an acrostic; for, especially in the latter case, the lady's name must be so unalterably interwoven with the declaration, that there could be no mistake—the lover was nailed, and so was the compliment;—even were the lady insensible, the verses could not be transferred to any new object. Of these rebuses and acrostics, I find not a few

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bearing the date of the period now in question, all of which are peculiarly easy and graceful; but I shall quote but one specimen, and that not of a set of love couplets, but an address to a worthy clergyman, the Reverend Herman Dagget:

Happy the soul, which, on religion's wings,
  Exalts her glorious flight to worlds above,
Rapt from the sinful ties of earthly things,
  Melts into transports of celestial love,
And ev'n on earth makes Heav'n her blest abode,
  Nor knows a wish that centres not in God!
Dauntless this soul, this soaring soul, shall sing,
  As, eagle-like, it gazes on the sky,
"Great king of terrors, where's thy vaunted sting?
  Grave! boasting grave! where is thy victory!
Exert your pow'rs! ye can but brush away
  The dust that soils my robes,—th' indecent clay,
That keeps me from the realms of bliss and endless day!"

In one of his love poems at this time we find the following happy application of the incident at the marriage feast at Cana. The reader must bear in mind, in appreciating the merits of my quotations, the youth, the imperfect and desultory education, and circumstances of the author, as also the material fact of the different tone and style characterizing the poetry of the present day from that of half a century ago. Without here discussing the respective merits of the two, I merely allude to the fact, to designate the school with which the verses of poor Johnson, to which a public notice is now for the first time, extended must be compared.

Stern fate, severely cruel, fills
  Life's bitter and disgusting cup,
With drops of joy, to seas of ills,
  And we must drink the potion up.

But love corrects the nauseous draught,
  And makes it nectar all divine,
As he whose blood our souls has bought
  Transformed the water into wine!

The following beautiful couplet, which I find among his papers of the present date, written as an epitaph on a lady, I cannot refrain from quoting:

Here sleep in dust, and wait the Almighty's will,
Then rise unchang'd, and be an angel still.

Among his various amatory stanzas, are the following, upon the falling of some flakes of snow into the bosom of one of the village belles, whom he was escorting through a storm:

To kiss my Celia's fairer breast,
  The snow forsakes its native skies,
But proving an unwelcome guest,
  It grieves, dissolves in tears, and dies.

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Its touch, like mine, but serves to wake
  Through all her frame a death-like chill,—
Its tears, like those I shed, to make
  That icy bosom colder still.

I blame her not: from Celia's eyes
  A common fate beholders proved—
Each swain, each fair one, weeps and dies,—
  With envy these, and those with love!

But whoever Celia may have been, the poet's assiduities seem not to have been eventually wasted, for ere long we find him addressing "Celia Jealous:"

What earthquake heaves those hills of bliss?
  That breast, th' elysium of my soul?
Into that more than paradise
  What fiend accurst has stole?

Now, from th' accustom'd kiss away
  That opening rose-bud quivering shrinks;—
And now these precious fountains play;
  The liquid pearl now sorrow drinks!

Like sapphires seen in melting snow,
  Those eyes through tears new radiance dart,
Each brow is Cupid's bended bow,
  Each glance his arrow to my heart, &c. &c.

With half a dozen more stanzas which I refrain from quoting, as they exhibit the impudence of justifying his numerous infidelities, as the best evidences of the constant affection which always brings him back to the true home of his heart.

His love effusions, addressed to different shrines, at about this time, are very numerous, and many of them very happy. By way of variety, however, he is occasionally found addressing the colder Goddess of Friendship, whom in several of the former he treats very unceremoniously:

Friendship, sweet power! whose fires divine
  Our souls exalt, unite, and bless,
I kneel before thy sacred shrine,
  And with this verse thine altar dress.

'Tis not in thee, the crimson shame
  O'er cheeks of innocence to bring;
But sweet thy joys, and pure thy flame
  As the flow'r-scented breath of spring.

Through boundless nature's various plan
  Thy spreading charm diffus'd we see,
From insect atoms up to man,
  And heaven were joyless but for thee.

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Thou fair! whose fiat shapes my doom,
  What's love without this softening pow'r?
A fire, that kindles to consume!
  A savage, conquering to devour!

First, love should fix the welcome chain,
  Then calmer friendship claim its turn,—
For rapture long intense is pain,
  But souls should glow that cease to burn.

Presently, however, he gets exclusively tender again, and despairingly addresses a new goddess, deploring that his poverty should make his love so hopeless:

See where to its maternal stem
  Yon filial flow'ret fondly clings—
The poet's sweet, unconscious theme—
  And heedless of the lay he sings:

More fragrant far that parent bush
  Than flowery Hybla's scented gale;
And sweeter far that flow'ret's blush
  Than May's first morning's dew-gemm'd veil.

And shall some blest triumphant swain,
  How blest,—how more than doubly blest,—
Win this wild empress of the plain,
  And wear it on his raptur'd breast?

Were I—but, ah! no cultur'd plains
  Nor gardens for such sweets I boast!
My locks are drench'd with driving rains,
  Nor hous'd my head from winter's frost.

'Tis mine, uncottag'd and unclad
  Chill storms, with purpled breast, to brave,
And struggle onwards, faint and sad,
  To sink into my home, the grave!

But still thus humbly and remote
  I sure may view a flower so fair,
And bless the too distinguish'd lot
  That bids me breathe the ambient air.

The following two descriptive pieces will serve to give a just idea of the developement of his mind at that period:

WINTER.

Now grim amidst his gathering glooms
  Lo! angry Winter rushes forth:
Destruction with the despot comes,
  And all the tempests of the north.

What time he thunders o'er the heath,
  Each scene, that charm'd, in terror flies,
Creation feels his gelid breath,
  Affrighted nature shrieks and dies.

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Perplex'd and sad, these scenes among,
  The pondering soul, with fainting steps,
Quite sick of being, plods along,
  And o'er the mighty ruin weeps;

Or lifts the longing eye, and sighs
  For milder climes and lovelier meads,
A vernal hour, that never flies,
  And flowers, that rear immortal heads;

Where ne'er, unchain'd, the maniac blast
  Scours the bleak heavens, with hideous scream;
Where skies of sapphire, ne'er o'ercast,
  Incessant pour the golden beam.

SPRING.

'Tis May! no more the huntsman finds
  The lingering snow behind the hill;
Her swelling bosom pregnant earth unbinds,
  And love and joy creation fill.

Over the glassy streamlet's brink,
  Young verdures peep, themselves to view;
At noon the tipsied insects sit and drink
  From flowery cups the honeyed dew.

Deep crimsoned in the dyes of spring,
  On every side broad orchards rise.
Soft waving to the breeze's balmy wing,
  Like dancing lights in northern skies.

In ditties wild, devoid of thought,
  The robin through the day descants,
The pensive whip-poor-will, behind the cot
  Her dirge, at evening, sadly chaunts.

Queen of the months, soft blushing May!
  Forever bright, forever dear,
Oh, let our prayers prolong thy little stay,
  And exile winter from the year!

Life, love, and joy, to thee belong,—
  Thee fly the storm and lurid cloud,
Thou givest the heavens their blue, the groves their song,
  Thou com'st, and nature laughs aloud.

Let prouder swains forsake the cell
  In arms, or arts, to rise and shine,—
I blame them not—alas! I wish them well—
  But May and solitude be mine!

Dr. Sage, who was a person of amiability, intellect, skill and integrity, in a letter now before me, describes the present crisis of Johnson's career. He says that at the close of the two years

passed in so desultory a manner under him, at East-Hampton, Johnson was "well versed in the most common theories of physic—was a most ready mathematician and natural philosopher—was master of the principles of music." He "possessed," adds the doctor, "a most accurate and grammatical knowledge of his own language, understood French, had some knowledge of Italian, and could translate with the greatest ease any Latin author, almost without having recourse to a dictionary. He appeared to have considerable taste and knowledge in architecture—could use with skill almost all kinds of tools, and even excelled in many of the mechanic arts; in short, whatever he undertook in mechanism, he executed with the neatness of a first-rate workman." Dr. Sage afterwards remarks, "it has often surprised me, that, at twenty years of age, and with such idle, unsteady habits, Johnson should possess such variety and degree of knowledge. Where and how he could acquire it all, unless by intuition, I could never imagine. He was a runaway boy, and had been most of his life travelling from one part of the country to another, without friends, and the most of the time poor, dependent, and wretched. When pinched with adversity, his feelings and temperament were such, that he was wretched indeed; and if his better stars, at any time, should light up a little comfortable gleam of prosperity about him, he was such a careless, wretched economist, that he wasted it without an effort towards its continuation or enlargement. 'Tis true, he was capable of enjoying in a high degree, the blessing as it passed, and without vexing himself with the probabilities, or even certainties of to-morrow's reverse. He was enthusiastic in his friendships; and, I believe, sincere. He was generous—he felt for the wretched and unfortunate—in his resentment he was quick, and, from a certain impetuosity of temper, often inconsiderate and rash; but soon forgot them. He changed with rapidity from object to object; for his feelings were so acute and so easily excited, that he was generally governed by the impressions of the moment."

With such a disposition, there was little probability that Johnson, even with all the attractions he found in East-Hampton, would have remained there permanently. Indeed, perhaps those very attractions may have hastened his departure. His compositions, beside the evidence of dissatisfaction at his present limited sphere of mental action, and inglorious obscurity, indicate, as he proceeds, a striking change in his personal words; and it would almost seem that he had not fluttered so long around the light of love, without at last burning his wings. His temper was now evidently grown morbid. As he ceased to write mere love verses, he became more and more sensitive and satirical:

The following epigram written at this time, and which I find among the poet's manuscripts, will serve as an instance of this bitter

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spirit, like "moody madness laughing wild" at the idea of any possibility of happiness:

> "Life is a jest,"—but Gay himself must own
> A sadder jest on earth was never known:
> The sides of Heav'n must split to see such fun,
> In terrors ended and in tears begun.
> Lo! there,—a wretch, extended on the rack;
> See his veins spout, and hear his sinews crack;
> And if a keener jest is your desire,
> Go, take his place,—and laugh till you expire!

The views of our part at this stage of his course, seem to have been directed for some time towards a change of place; and he at length prepares to quit East-Hampton and try his fate in a larger sphere than he has yet attempted,—he determines to plunge boldly into the city of New York. Even supposing him to have been hurt in his affections, he must have contemplated, with intense anxiety, his approaching departure from a spot, endeared to him by so many kindnesses, and where he had a home in every cottage. The thought of exchanging so kind a village for the dreariest of all solitudes, the solitude of a crowd of strangers, must, to a mind constituted like that of Johnson, have been withering indeed.

The popular verse makers of New York city were, at that period, Richard B. Davis, whose works have been preserved by one of the Irvings; St. John Honeywood, whose writings appeared under the patronage of the late Judge Hoffman; Richard Alsop, advantageously remembered, not only for original productions in great profusion, but for able translations from the Italian; Mrs. Faugieres, whose Tragedy of Belisarius, and whose lines upon various occasions, especially one collection of them illustrative of the Hudson river, are spoken of with much praise; and the memory of whose mother, Mrs. Ann Eliza Bleeker, was still cherished equally for her genius and her trials. A mind like that of Johnson must have met the works and story of Mrs. Bleeker, which appeared somewhere about the date of his arrival at New York, with no common interest. Her wilderness flight on foot, from the inroad of Burgoyne's army, bearing her young daughters with her, one of them an infant;—her garret shelter, and the loss of her babe from the exposure;—her despair afterwards, at the mysterious disappearance of her husband when carried off from his farm by the British;—the almost fatal effects of her rapturous surprise at his unexpected restoration; and her final crush in death from sensibility already fearfully shaken, when, returning to her native city, she found it desolated by the war, and bereaved of all her early friends; could not but excite Johnson strongly. Nevertheless, he could not avoid noticing how little the praises upon every tongue had contributed to the prosperity of the subject of them; and how utterly the genius

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of the mother—aided by the influence of connections, and the spell of romantic associations—a genius which her surviving daughter had inherited and improved—failed, notwithstanding it was honored with surpassing homage,—lamentably failed in benefiting the worldly fortunes of Mrs. Faugieres. The inference was obvious;—and Johnson cast sternly away the hopes which he had brought with him to the metropolis, of working out distinction and prosperity by means of his poetical genius; and reduced to all the extremities of unfriended youth and genius in the solitude of a city, we see him struggling for a mere support of life, in any nameless occupation, such as a news-printer's and bookseller's drudge,—an under-teacher,—in short, as any thing, which would enable him to pay his way in his studies to become a physician. The person with whom he studied was Dr. Amasa Dingley, to whose friendly kindness he appears to have cherished a warm sense of gratitude, and whom he characterizes, in a poetical epistle addressed to him, as possessed of the "heart of Howard and the head of Brown."

Nor was Dr. Dingley the only person of talent and worth with whom he became a favorite. He seems to have been upon terms of great cordiality, not only with all the distinguished persons of the time, in his own destined profession, but with the most esteemed among the authors and the artists. There are, no doubt, many still living in New York, who, should these pages ever meet their view, may bring to mind the subject of this sketch, and be ready to acknowledge the truth of this testimony in his favor. His most intimate associate was young Joseph Osborn, who being a profound classical scholar, a critic of refined taste, and equally accomplished and amiable, was, undoubtedly, a very valuable friend, as well as delightful companion, to Johnson.

During the intimacy at New York between these young students, Johnson's attention seems to have been directed principally to studies of the Greek and Roman models in their original languages; and his productions to have been confined to translations. Of these, there are, among his papers, several of great vigor and beauty; besides versions of passages in the sacred scriptures, and of parts of Ossian.

But agreeable, and intellectually profitable, as such intimacies must have proved to Johnson, the persons with whom he found himself most at home, were all of them nearly as ill off in the world as he was; and the occupation of newspaper paragraphing, and school usherships,—even in our improved times generally pre-occupied, and never more than an exceeding lean and precarious resource,—were, in his equally overstocked from the inexhaustible East, and still less productive than at present to the incumbent; and as for the propensity to rhyme, it seemed to be considered at best but an amiable weakness, only tending to empty pockets;—

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poetry was the most unmarketable of all literary drugs. Though every one acknowledged the splendid promise Johnson gave of powers; though every one confessed how disgraceful it would be to allow such powers to "rest unused," and though the patriotic congratulated the country on the splendid hopes afforded by such early excellence,—it does not appear that he was substantially fostered by those who could have turned his qualifications into useful channels, and made them a blessing to his age, and an honor to his character. It unfortunately happened, too, that the period in question was one, in which the effects of the French revolutionary effervescence were in full action among us; and when multitudes were on the alert to make the success of novelties in government a plea for extending them to religion. The activity of error in seeking and promoting proselytes is proverbial: it has been accounted for by the feverish and self-doubting anxiety to fortify itself by the sanction of the enlightened; and it is not to be wondered at, that a mind like Johnson's should have been assiduously courted by those who desired all the aids of enthusiasm and of eloquence, to help onward a bad cause. Ridicule is the favorite weapon exercised by such spirits upon the young and ambitious, and there are few minds capable of resisting its influence. It happened, moreover, unfortunately, that, at a time when Johnson was exposed to the dangerous atmosphere described by the poet,—when "*the world will call you fool*," was ringing in his ears,—it was the evil destiny of his destitution to cast him in the way of a New York publisher, who had already given currency to many of the infidel works most in vogue abroad, and who sought fresh fuel for the spreading flame. There was a French work, by Boulanger, entitled "Christianisme Devoilé.' The publisher we allude to found Johnson, not only full of talent and entirely out of funds, but well versed in French, and desperate for want of employ. The rest may be easily imagined. He was lured into a translation from Boulanger, enforced by an original preface; and this is, unfortunately, the only work of his ever printed with his name, unless it be a scrap or two of verse, in obsolete magazines, since his decease. The volume excited much attention. Johnson was, at first, dazzled by its popularity. But his greatest gratification seems to have arisen from his certainty that its appearance would give so much delight to his first protector, Captain Albee. He sent a finely ornamented copy of it to his early domicile, at Wrentham. The old captain was enraptured at the remembrance; and at such magnificent evidence, according to his modes of thinking, that the ancient flourishings of the rope's end over his pet protegé had at last "done the state some service."

In a country where native fame of every sort is so transitory as in ours, there is scarcely reason to wonder at the necesity for reminding the reader of the present day, that, some forty years ago,

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a few distinguished persons of Connecticut were regarded as a galaxy of the most brilliant stars of our literature and fine arts. There were younger aspirants who obtained praise for great promise; but Dwight, the Trumbulls, Humphreys, Hopkins, and some others now entirely forgotten, were looked upon as established in imperishable glory. But the greatest of these temporary immortalities was that of Joel Barlow. He, who from a poor eastern lad, had been a soldier, an attorney, a congregational minister, again a lawyer, and who, having afterwards risen through the occupations of a shopkeeper, vending in Connecticut his own edition of psalms and hymns,—of a land speculator,—of an apostle of religious infidelity,—of a political reformer in Europe,—up to that of an ambassador, representing his native country abroad in diplomacy;—was now also its representative in literature. The epic poem upon Columbus, at the epoch in question, had been already published, not only in Paris, with a dedication accepted by the king, but in London,—a greater honor than any American poem had received; and its author was looked up to as possessing that universal renown and influence which gave his approval the potency of an oracle. To Joel Barlow, thus surrounded with glory and with power, the translation of which we have spoken was submitted by its publisher, who was his friend. Johnson's general talents, of course, came under the notice of the momentary Homer, and they were considered as too remarkable not to be encouraged for the darling purposes of the hour. In a letter written by Mr. Barlow, from Hamburg, on the 23d of May, 1795, he says:

"I am glad to see a translation, and so good a one, of Boulanger's Christianisme Devoilé. It is remarkably correct and elegant. I have not had time to compare the whole of the translation with the original, but so far as I have compared it, I never saw a better one. I wish Mr. Johnson would go on and give us the next volume, the history of *that famous mountebank called St. Paul.* I should think these two works would give such a currency to the author in America, that the translator might be encouraged to go on and complete his whole works, especially L'Antiquité Devoilée and his Oriental Despotism. I do not know that these works have been translated; if they have, they are probably not done so well as this translator would do them."

Considering the immense weight of Mr. Barlow's opinion at that time, and the prevalence of more levity upon subjects of vital import than has since been found to be compatible with either common sense, or the real 'age of reason,' it is almost to be wondered at that Johnson did not become a sacrifice to this encouragement: but he did not. The fact, that 'his poverty, but not his will, consented' to this prostitution of his talent is evident from a letter written to a bosom friend, even while under the full influence of his devoted-

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ness to the task: "Far be it from me" observes he "to suggest any thing against true religious experiences! They are the most desirable of all events; and may they increase till the millenium shall shed its heavenly influences over a regenerated earth! Would to God they might beam through my soul, with the heat of the love, and the light of the knowledge, of Jesus of Nazareth!"—The right aspirations of which these words disclose a glimmering gained strength. Johnson made no more publications of the sort recommended by Mr. Barlow. On the contrary, he lamented bitterly the error he had already committed. "*I do not believe*" observes he, in a letter to a friend not long afterwards, "*that Boulanger's sentiments concerning the Christian religion are just. I believe the most prominent features of the monster in question are sophistry and rancour.*" The Roman Catholic notion mentioned by Addison, that an author's soul remains in purgatory so long as his writings continue to do evil, conveys a striking image of what a sensitive spirit like that of Johnson must have endured, from the consciousness which these paragraphs prove to have been dawning upon him, of the poison he had flung upon the winds, and could not now recal and smother. It is impossible for the splendid sentiment of Cowley, on the works of the poet being the last to perish in the final wreck of matter,—

> Now all the wide extended sky,
> And all th' harmonious worlds on high,
> *And Virgil's sacred works*, shall die,—

to be too often impressed upon the minds of those who can make an enchanter's wand of the pen, and yet not remember, while they are so doing, the enormous responsibility involved in the power which is the last conquerable by death in his last triumph,—the power of genius. To any one who feels, with Milton, that books are "as lively and as vigorously productive as those fabulous dragon's teeth; and being sown up and down, may chance to spring up armed men," how awful must be the conviction that even penitence for having uttered a wrong book, cannot kill its destructiveness; but the giant to which a depraved fancy has given birth, will still go on, like Frankinstein's fiend, mocking the impotent horror of its maker, when, on beholding his own creation in life and action, his awakened reason shows it to be malignant and a monster! Even thus stinging was the remorse of Johnson at his error, as is evident from another passage of the letter already quoted: "*Persuasion and poverty induced me to translate this work of Boulanger.* I have risen the steep of education at the expense of many a struggle,—and, in mid-air, I avoided a fall, by seizing upon the first shrub that invited my hand. *It was a thorn,—and do not imagine that I escaped without a wound.* My name was prefixed to the work, contrary to my wish, and without my knowledge."

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Three prominent events, not far apart, occurred after this in the history of Johnson;—an attachment grew up between him and a young lady of superior character and endowments; he was near becoming the victim of a malignant fever; and a proposal was sent to him for commencing practice in partnership with an eminent physician in Georgetown, South Carolina. Of the attentions he received during the illness to which we now allude, in one of his letters he speaks thus: "the New York epidemic conducted me to the brink of the grave, and I am to thank Dingley, Osborn, and some other friends that I did not tumble in. So soon as I could support a removal, I went to Long Island, where I stayed until a few days ago. Charles Goodrich came to see me while I was sick, and spoke to me so kindly, that I was too deeply affected to make him any answer, but what might be interpreted from my tears. Osborn watched with me several nights, and exhibited the most impressive proofs that his friendship for me was not to be shaken by any considerations of personal danger. The young gentlemen also of my medical acquaintance also showed me every kindness that generosity and friendship could dictate. Doctor Dingley effected my removal, and Doctor McLean resigned to me his own furnished apartment. How wrong are those who preach the universal and total depravity of human nature! Who in my situation could without indignation hear it asserted that mankind are naturally in a state of perpetual hostility, and that human nature always inclines to vice and malignity?—Unite with me, my friend, in undeceiving those who calumniate our race!"—Upon his convalescence, it was supposed that an entire change of place would do him service; and he was now more anxious than ever for an establishment, that he might entitle himself to the hand of one who had watched with equal solicitude and success over the diseases of his body and of his mind. The negotiation between him and Doctor Robert Brownfield, of Georgetown, South Carolina, for his removal to the latter place, was marked by a frank and manly style on both parts, which makes me regret being precluded by space from quoting the letters. The mutual friend who had made the character of each known to the other was Dr. Wickham. It resulted in Johnson's accepting Dr. Brownfield's invitation, which he did without any stipulation as to the terms of their professional connection; and accordingly we find in one of his manuscript books the following entry:

"Left New York Sunday, 7th February, 1796, in the ship Fame, my friend Captain G. Havens, master. My fellow passengers were Mr. Russel, of New York, Mr. Powars, a printer, and his journeyman. We arrived at Savannah, on Saturday the 20th of the same month, at which place I was politely received by my old acquaintance, Mr. P. Havens, who had recently established himself there as a merchant. He insisted on my lodging with him at Mr. Dillon's,

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where I stayed until the next day, when I took passage with a Captain Dickinson, in a packet for Charleston, where we arrived the next morning. This day I dined with Mr. John G. Mayer, to whom I had a letter from the house of Gardiner, Thompson, & Co. of New York. Lodged at the Globe Tavern while in Charleston, which place I left on Friday, and arrived at Georgetown the next morning, where I met a most cordial and endearing reception from Doctor Brownfield. On Sunday evening he generously proposed to take me into partnership on terms of equality. I hesitated not to accept his generous offer, and the bargain was immediately closed for one year."—

Among his papers, we find some verses inscribed on a blank page of a volume of Godwin's Caleb Williams, which appears to have been presented to the object of his affections, on the eve of his departure to fulfil this engagement; which I quote as expressive of the rational and subdued views of life and the future, which had now succeeded to the wild visions of his earlier youth.

Clad with the moss of gathering years,
  The stone of fame shall moulder down,
Long dried from soft affection's tears,
  Its place unheeded and unknown.
Ah! who would strive for fame that flies
  Like forms of mist before the gale?
Renown but breathes before it dies,—
  A meteor's path! an idiot's tale!
Beneath retirement's sheltering wing,
  From mad conflicting crouds remote,
Beside some grove-encircled spring,
  Let wisdom build your humble cot:
There clasp your fair one to your breast,
  Your eyes impearl'd with transport's tear,
By turns caressing and carest,—
  Your infant prattlers sporting near.
Content your humble board shall dress,
  And poverty shall guard your door,—
Of wealth and fame, if you have less
  Than monarchs, you of bliss have more.

Dr. Brownfield, in a letter written after Johnson's death, observes, "as a physician he very soon gained the confidence of his fellow-citizens in an extensive practice. His genius and erudition commanded the admiration of the learned, and his social virtues secured him the love and esteem of all those with whom he was most intimately acquainted. To know the strength and universality of his genius, required a long acquaintance. The longer I knew him, the more reason I found to admire his talents. To a strong and elevated imagination were added a sound judgment and correct taste. To an elegant and refined taste for the fine arts, he was one of the few who united a profound knowledge of the more abstruse sciences of

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philosophy and the mathematics,—as well in execution as design, his abilities were unrivalled. Indeed, there are few objects of human knowledge, of which he appeared to be ignorant. Intellectual brightness is sometimes obscured by degrading vices; but Johnson's character had no stain of this sort. His expanded soul embraced the interests of all mankind. Often have I seen the tear of sympathy bedew his cheek for the suffering. Indeed, in every part of his conduct he displayed that tenderness, that generous benevolence, which, in my mind, exalts the character more than all the brilliancy of science, or energy of genius."

That there is no exaggeration in this picture of the impression made by Johnson at his new residence, may be very easily believed. In our southern regions, so accomplished a person could not remain uncourted. He was in every society, and wherever he appeared, he was the brightest star. A long poem written by him at the time, gives a humorous picture of a convivial musical party at which he was present. It is somewhat in the spirit of Goldsmith's Retaliation. It pourtrays the character of each guest, in a witty couplet, closed with a line from the particular song which each had sung, and which line is very humorously wrought into the story of the jeu-d'esprit. He was, of course, applied to on all occasions when poetry was desired; and among others a Fourth of July address, written at this period, possesses high poetical merit, at the same time that it breathes a noble spirit of patriotism and love of liberty.

A streamlet in the neighborhood of Georgetown, which the poet's manuscript calls the *river* Sampit, but which is laid down in the maps as a creek, presently afterwards excited his muse; and his lines in its praise circulated at the time with an applause, which cannot be denied to them even in our more fastidious day—the lines are these:

Still winder of the pensive wave
  That calmly tend'st thy little urn,
Than Tempe's lovelier vales to lave,
  And quench the potent beams that burn
Thy tender offspring's verdant forms,—
  Nor dost forsake thy rising care,
When Jove descends in awful storms,
  And bolted thunders singe the air!
What though along thy lonely banks,
  Not oft the tuneful sisters rove,
Nor, tripping light in twilight ranks,
  The fairies fill the neighboring grove;
Though thou on no Etruscan shore
  Hast seen a thousand villas smile,
Nor e'er, like rapid Hebrus, bore
  An Orpheus to the Lesbian isle.
Nor dost thou, number'd with the gods,
  Like Nile, from Heaven derive thy source,

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Nor visit Pluto's dark abodes,
  Like Arethusa's latent course;
Yet hast thou charms my muse to fire,
  And though her voice not long shall live,
Her trembling hand shall wake the lyre,
  And give what fame her strains can give!
While the old bounds the Thunderer gave,
  Thy boisterous brothers oft despise,
And rising fierce, with impious wave,
  O'erwhelm the earth and threat the skies,—
To hoary Neptune's coral throne,
  Thou duteous lead'st thy limpid race,
While pleas'd to meet his meekest son,
  The monarch melts in thy embrace.
Diana oft withdraws her gaze
  From dull Endymion's slumbering charms,
And flies to keep, with brighter blaze,
  A tenderer vigil in thy arms.
Like fairy knights, in silver clad,
  To sportive war advancing gay,
A shiver'd beam each radiant blade,
  Thy waves, in bright confusion, play.
Along thy banks, where canes compose
  The humid bower, and tiny grove,
Thy naiads through the day repose,
  And consecrate the night to love,—
If chance, no monster from the deep,
  In scaly terrors grim, invade,
And, stretch'd immense in dragon sleep,
  Fright the fair tremblers from the shade.—
To catch the breeze and court the muse,
  At jocund dawn, or evening grey,
Oft shall my sandals brush the dews
  That richly gem the devious way:
But thee, staid eve, most sweet I prove,
  When, gently led by insect light,
Thought wanders wild with hapless love,
  And sadness sighs along the night.
Yes, sweet thy cells and rayless groves,
  Where lonely woes delight to haunt,
And wounded hearts, like dying doves,
  With pangs too big for utterance pant!
Yon gloomy pines, that stand aloof,
  With thick and darkly waving locks,
Amidst whose shades, with silent hoof,
  The trembling deer, wild gazing, stalks;
The thickening cloud, the screeching storm,
  The flashing lightning's lurid glare,
The gliding phantom's half-seen form,
  Though sad, not all unlovely are.
The nerve by pity interwove,
  Pale grief low bending o'er the bier,

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The poignant sympathies of love,
  And suffering friendship's confluent tear;
All these their mingled pleasures know,—
  A little gold amidst the alloy,
And from the poisonous mass of woe,
  Extract a melancholy joy:
In fate's worst cup of bitterest spite,
  Some drops of comfort still are found,
In pain itself there is delight,
  If love and pity bathe the wound:
Thus some pale flowers in deserts bloom,
  Where never pierc'd the solar beams;
Thus some lone star, through midnight's gloom,
  With tremulous radiance, dimly gleams.—
Curst be the passions' stoic sleep,
  The marble heart, the nerve of steel!
Give me to suffer and to weep,
  But let, ah! ever let me feel!—
But see! what goddess yonder moves!
  Is it the silver-shafted queen,
Or Venus, with attendant loves
  And graces, gliding o'er the green?
Sweet stream! assist my fearful muse,
  O, make her mine,—and thou shalt be
To future years a new Vaucluse,
  Thy Petrarch I, my Laura she.
So still may each less sacred rill,
  From thee its turbid tribute turn,
And Heaven its purest dews distil,
  To feed thy ever-flowing urn!
Soft blushing, to thy vales and bowers
  May spring her earliest visits bend,
Deck first thy brow with new-born flowers,
  And in her bosom, warm thee and defend!
Neglectful of Pierian streams,
  The muse shall drink thy richer wave,
And fir'd to fancy's sweetest dreams,
  Upon thine urn, an annual verse engrave.

The seeds of the illness which has already been mentioned, and which Johnson complained to one of his friends, "had produced an irritability both in body and mind, which was unknown to him before," were yet lurking in his frame; and in the autumn of the same year, at Georgetown, he was again much reduced by a bilious remittent, from which he did not perfectly recover during the winter. Early in June, 1797, he was again seized by a fever. As it appeared slight at first, he resisted the urgent advice of his friend, Dr. Brownfield, to try the effects of a northern climate; and preferred retreating to a sea-island. Here, however, his spirits forsook him—he pined for the society of those who were precious to him, and especially for the one comforting smile which had cheered

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him during his first disorder. Under these feelings, he dictated from his sick-bed, the following version from Ovid's Tristia, which seems to have been intended for the object of his affection, and is probably the last of his productions:

Since trembling illness has unnerv'd my own,
I must address thee in a hand unknown.
'Midst savage strangers in a foreign land,
On life's extreamest verge aghast I stand;
'Midst cruel climes and people more unkind,
What objects, think you, occupy my mind?
Here, gloomy clouds the cheerless landscape load,
And air and earth proclaim the unus'd abode.
Stretch'd, sick and unregarded, here I lie,
And wildly cast around an hopeless eye:
No friendly face, with cheering smile, appears,
No eye balls stream with sympathetic tears;
No voice of music bids my pangs retire,
Rekindling in my breast th' accustom'd fire;
No gentle accents through the tedious day,
Recite sweet tales to cheat the time away,
In all I feel or hear a foe I find,
And ev'ry object round me seems unkind;
With mingled thorns offends the bed of down,
And in the hangings angry demons frown.

Here as I pine all friendless and remote,
The pleasing past o'erwhelms my laboring thought,—
By turns lost pleasures pass in sad review,
And all those pleasures yield by turns to you;
To you my feeble voice incessant cries,—
I see your phantom with deluded eyes;
And when a thousand tender things I've said,
I blame the silence of th' unanswering shade;
And then thy friendship is esteemed a cheat,—
I curse the name my lips so oft repeat!
But if the damps of death my brow bedew'd,
And to the roof my palsied tongue were glued,
And skill were pos'd and remedies were vain,
Thy soft approach would vanquish all my pain;
Thy healing voice would all my strength replace,
And I should rise in health to thy embrace.—

While dire disease my feeble frame destroys,
Borne round the giddy whirl of thoughtless joys,
Dost thou forget thy lover's faithful name?
Or glows thy bosom with another flame?
Oh, no! too sure, while I remain unblest,
All joys are strangers to thy anxious breast.

Soon shall the gods resume the life they gave,
Nor can thy prayers thy parting lover save;—
But sure the gods might grant this small demand,
At least to perish in my native land,

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Where pious hands my cold remains might burn,
And seal my ashes in th' unconscious urn,—
'Twere better than in foreign lands alone
To perish thus, a fugitive unknown,
Had death at once th' unerring weapon cast,
And one misfortune been my first and last!
Not death itself can now afford relief,
And life is lengthen'd to prolong my grief;
Yet well I know the last, sad, closing day,
With all its horrors, is not far away,
And I must die upon a foreign shore,
Nor see that face, nor press that bosom more;
Give up my spirit on this lonely bed,
No friendly arm beneath my languid head;
Nor with my closing eye's last trembling beam,
Behold the tears of sorrow round me stream;
Nor pour my latest sighs, with faltering sound,
In blessings, on my sobbing friends around;
And when, at last, my soul reluctant flies,
No hand to close my sunk and sightless eyes,
Vultures and wolves shall on my body prey,
And my bones whiten in the blaze of day!

At the sad news I see thy frenzied air,
Thy hands outstretched to Heav'n in fruitless pray'r;
I hear thee call my name and tell our loves,
Wild rushing through resounding vales and groves;
But, ah! to wound that snowy breast forbear,
Nor scatter to the winds that flowing hair;
And think scarce less from other each was torn,
When my first absence thou wert doom'd to mourn;
'Twas death itself to wander far from thee,
And more, far more than this, a death to me!
But that I knew thy breast could ne'er obey,
I could command thy fruitless griefs away;
Nay, bid thee joy that all my ills are o'er,
And grief, disease and exile, vex no more.
At least, with firmness meet relentless fate,
Nor sink at once beneath a lessening weight;
With patient meekness all thy woes endure,
Which time may soften, though it cannot cure!

In August, 1797, Johnson was prevailed upon to return to New York, and thence he went over to Jamaica, on Long Island. Here his old friends again flocked around him. Joseph Osborn and his brother, Charles Osborn, were unremitting in their attentions. "In my acquaintance with the world," observed he, "I have seen no parallel to their friendship and generosity." Of his southern friends, he spoke with enthusiasm to the last; and especially of the frank and liberal treatment he met with in every respect from his partner, Dr. Brownfield. His eyes, it is believed, were closed by

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Joseph Osborn, in whose hand-writing, there is the following simple inscription upon a page of a manuscript book which had been the property of his friend: "Wm. M. Johnson died at Jamaica, L. I., Tuesday morning, five o'clock, the twenty-first of September, 1797." His tomb stone may still be seen in a gave yard at Jamaica, His age did not exceed six and twenty.

Such was the obscure career of one of the earliest of our neglected poets. That he was 'a poet born' there can be no doubt, on a consideration of his character and temperament as evinced by his life, and attested by those who knew him, and of the genius manifested in those of his writings, which a happy chance has preserved and placed in my possession. Notwithstanding the difference of fashion in poetry between our day and that of the subject of this memoir, all readers, capable of appreciating that essential spirit of poetry which is independent of the exterior fashion of phrase and style, will recognize, even in some of the specimens which I have quoted, a delicacy of sentiment, combined with a passionate ardor, an enthusiasm for natural beauty, with that deep yearning after the good, the true and lovely in moral nature which most strongly characterizes spirits of the highest order,—with, at the same time, a melody of language, and graceful ease of style, united to strength and directness,—abundantly sufficient to establish his claim to a high place among the poets of our country. His writings have never been published, and his name is an unknown sound to the present generation. His life was passed in obscurity, and that perpetual and exhausting struggle with penury, which has so often and so sadly withered the noble promise of young genius; and by the time that his superior talents and excellence of character had raised him to a social position, which promised a more prosperous future career, we see him sinking beneath a premature blight of disease. In the preceding sketch, I have attempted to make the narrative tell at once the story of Johnson's genius and qualities of character. To render him justice, in both points of view, his attainments and conduct must be compared with his chances; and when we consider his nameless origin, the desultory scraps of education which his early circumstances permitted him, the many temptations which he was subjected, both from his poverty and the society into which he was necessarily often cast, the former must be acknowledged to have been such as to entitle his memory at least to this slight and tardy attempt to rescue it from oblivion.

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RETROSPECTIVE VIEW OF THE SOUTH-AMERICAN STATES.

(*Continued from page* 380.)

At the conclusion of our last number, we stated that the Spanish power in the northern sections of South America, having been materially reduced by the defeat of the Royalists at Carabobo, on the 24th of June, 1821, was afterwards completely extinguished before the end of 1823; and that those two sections having been united under a Republican Constitution into one State called Colombia, had resolved to employ their forces in the liberation of Quito and Peru.

For this purpose, General Sucre was despatched in 1822 by Bolivar, at the head of a Colombian army, into Quito, where he had several engagements doubtful in their issue with the Royalist forces, commanded by the President, Samano, and General Cruz-Murgeon. He was, however, soon after reinforced by Bolivar at the head of fresh troops, and the Royalists were vanquished successively at Bombona and Pichincha; after the latter action, the Spaniards capitulated, and having been suffered to withdraw from Quito, that section was completely occupied by the Colombians. Sucre entered the city of Quito on the 22d of May, 1822, and having recruited his troops, pressed his course southward towards Upper Peru, a region east of the Andes, which formed the northwest portion of the Viceroyalty of La Plata, and was then entirely occupied by the Spaniards. Bolivar traversed the country near the Pacific, and established his head-quarters at Guayaquil, a large seaport town belonging to Peru.

In the mean time, the Chilian forces acting also for the liberation of Peru, under Lord Cochrane and General San Martin, had succeeded in establishing themselves at Pisco, on the coast of that country, not far from Lima, where they received in the fall of 1820, propositions for accommodation, made by the Viceroy Pezuela, agreeably to the general orders of the Spanish Cortes. These propositions were rejected, and the people of Peru aroused by the successes of the independents, began to exhibit signs of insubordination; the important city of Guayaquil had already declared in favor of the patriots, and Lima appeared to be on the eve of an insurrection.

In January, 1821, Pezuela was removed from the Viceregal authority by his own officers, and General La Serna was placed in his stead; this measure is supposed to have been occasioned, by the known attachment of Pezuela to the cause of absolutism, whereas La Serna was devoted to constitutional principles, which were also professed by the majority of the Spanish army in Peru. The change however produced no good effects to the Royalists in that country, and the disaffection of the people daily increasing, the new Viceroy found it necessary to evacuate Lima, which was, in consequence, occupied by the Chilian forces on the 8th of July. San Martin immediately assumed the title of *Supreme Protector of Peru*, in which character he summoned constituent and legislative assemblies, levied taxes, confiscated property, caused persons to be arrested and executed, instituted orders of nobility and knighthood, and committed numberless other acts of folly, injustice, and violence. Cochrane, a mild man, took no new titles, and killed nobody; contenting himself with filling his coffers in the most unobtrusive manner.

In this state, Peru remained for more than a year. The Viceroy established himself at Cuzco, on the eastern side of the Andes; Generals Canterac and Valdes, who commanded the Spanish forces near the Pacific, maintained the Royal cause in some districts, and occasionally, by approaching Lima, aroused San Martin to action. At length, the Colombians having conquered Quito, appeared on the frontiers of Peru, and Bolivar, invited the Protector to confer with him at Guayaquil. The call was obeyed by San Martin, and the two Chiefs met at the place indicated, on the 25th of July, 1822. What passed at this interview is not known; its immediate

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results were the union of Quito and Guayaquil to the Colombian Republic, and the engagement, on the part of the latter, by a solemn treaty to employ all its efforts in the liberation of Peru. San Martin, after his return to Lima, on the 20th of September, abdicated his powers, and withdrew to Chili, where he in like manner surrendered his command in the service of that country; Lord Cochrane also shortly after retired from the Pacific, and lent his aid to the Brazilians in expelling the Europeans from their country.

The entrance of the Colombians into Peru gave regularity and consistency to the efforts of the Independents, whose forces were by the impulse thus given increased in numbers, and improved in discipline. The Spaniards, however, maintained their ground with their usual bravery and perseverance, and, under Canterac and Valdes, completely defeated a portion of the liberating army commanded by General Alvarado, on the 21st of January, 1823; many smaller actions subsequently took place between them and the insurgents, in consequence of which, Lima was occupied by each party in succession. Bolivar at last established himself in that capital, and having been invested with all the powers of Government by the Peruvians, employed them with great skill and discretion, in restoring order and in rendering available the resources of the country. In Upper Peru, Sucre was at the same time exhibiting great energy and talent, in organizing the means of offence, for the purpose of striking a decisive blow at the Spanish power in that region; and the respect which the two Colombian chiefs thus secured for themselves and their followers, gave strong assurances of the ultimate success of their efforts.

In this manner the year 1823, and part of 1824, passed, without any determination of the question. The Spaniards received no assistance from Europe, and their numbers were daily diminishing, while the efficacy of their movements was paralysed by dissensions among their chiefs; it has even be asserted, that after the restoration of the absolute power of the King of Spain in 1823, the Viceroy La Serna proposed to the Independent Chiefs to unite with him, in converting Peru into a constitutional monarchy, with a Spanish Prince on its throne. If such a proposition were made, there is no reason to believe that it was considered with any favor by Bolivar, who appears to have been at all times bent upon expelling the Europeans.

On the 6th of August, 1824, Bolivar brought the Royal forces, opposed to him, under Canterac to a general action near Junin, where the latter were signally defeated, and forced to retire into Upper Peru; the only important position afterwards held by them, between the Andes and the Pacific, being the fortress of Callao. Sucre likewise having collected a sufficient body of troops determined to risk an action with his opponents in Upper Peru; and they having been reinforced by the remains of Canterac's division from the lower country, showed no disposition to avoid it. The two parties after some time spent in manœuvring and in petty actions, at length met on the 9th of December, on the plain of Ayacucho, near the town of Guamanga, where the Spanish forces were totally overthrown, and the Viceroy La Serna was made prisoner. Canterac who then assumed the command of the defeated troops, proposed a capitulation, by the terms of which all the Royalist forces were to quit America; these propositions having been accepted by Sucre, the Spaniards were conducted to Arica, and thence sent in British vessels to Europe. Generals Olaneta and Rodil, who were at the head of the Royalists remaining in Lower Peru, however, refused to submit to the provisions of this treaty, and continued for some time afterwards to maintain a fruitless opposition to the independence of this country; Olaneta was at last defeated and killed, and the troops under his command dispersed on the 2d of April, 1825; and Rodil having held out the fortress of Callao until he and his men were reduced to the utmost misery by famine, finally surrendered his post, by capitulation, on the 23d of January, 1826. A few Royalist troops who had retained possession of the Island of Chiloe, near Chili, about the same time evacuated the country, and every sign of the subsistence of the Spanish authority thus disappeared from South America.

The victory of Ayacucho secured the independence of Upper Peru. The people

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of this country, however, were averse to political union, either with Peru, or with La Plata, to which latter they had been attached under the Spanish authority, and they determined to form a separate Republic. With this view an Assembly of Deputies was held at Chuquisaca, which, on the 6th of August, 1825, proclaimed the independence of the country, and bestowed on it the title of Bolivia, in honor of him to whose efforts they attributed their liberation from the yoke of Spain. Bolivar was at the same time requested to draw up a plan of a constitution for the new State, and Sucre invested with the title of Grand Marshal of Ayacucho, was placed at the head of the Government until its institutions could be thus finally determined on.

In Peru, after the commencement of the revolution many attempts were made by many constituent bodies to arrange a form of government for the country. In 1823, a republican constitution, nearly resembling that of Colombia, was drawn up, but its adoption was deferred on account of the unsettled condition of things. On the 10th of February, 1825, a Congress met at Lima, into the hands of which Bolivar surrendered his dictatorial power; he, however, was soon after prevailed on to resume it, and to appoint at the same time a Council of Administration, which was to aid him, until a plan of government could be definitively determined. This Congress, like the others, separated without coming to any resolution upon the matter for which it was assembled, and Peru continued for another year subject to the will of one individual.

Meanwhile, Bolivar, agreeably to the request of the Congress of Upper Peru, visited that country, and presented a constitutional code, which was, without hesitation, adopted, and put into execution. This form of government can neither be called republican nor monarchical; it was intended, or ostensibly intended, by its framer, to combine the advantages of both systems, to insure the energy of action, supposed to be inherent in the former, with the wisdom in council, and the checks upon abuse of power, which should arise from the latter. The chief of the State, was a President elected for life, entirely irresponsible, and having power to appoint, with the concurrence of the Legislature, a Vice President, who was to succeed him. The Legislature consisted of three bodies, the members of two of which held their seats for life, and those of the third for four years; vacancies in each of these bodies were filled by choice of its own members, from among a certain number of persons proposed by electors, who were themselves elected by the citizens. We can not extend our analysis of this constitution further; nor can we pretend to pronounce upon its character, without assigning reasons for our judgment. We shall merely add, that it is generally considered, as the most absurd scheme of government ever devised. This constitution was proclaimed at Chuquisaca on the 23d of December; General Sucre was elected President, and was also allowed to retain two thousand Colombians in his service.

Having completed this work, Bolivar returned to Lima, where he was preparing to impose the same system on Peru, preliminary to its adoption in Colombia; when he was recalled to the latter country by disturbances in the northern departments. He quitted Lima in September, 1826, having committed the direction of the State and the charge of procuring the adoption of the Bolivian constitution to General Andres Santa Cruz, in which he was to be aided by the services of a large body of Colombian troops. By various manœuvres the plans of Bolivar were carried into operation; a treaty of confederacy was formed between Peru and Bolivia, a constitutional code, similar in all its principal provisions, to that of Bolivia, received the apparent assent of the Peruvians, and was accordingly proclaimed at Lima on the 8th of December, 1826, and Bolivar was elected President of Peru. Circumstances, however, soon showed, that the assent of the Peruvians to these arrangements was not real; for on the 26th of January following, the new system was completely overthrown by the people of Lima, without any measures having been taken by Santa Cruz or by the Colombian troops, for its support. The Constitution of 1823 was replaced, until a new Congress could determine with regard to the form of Government, and the Colombian troops, at their own request, were transported to Guayaquil. The Congress

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met in June, 1827, and provisionally confirmed the Constitution of 1823; Santa Cruz was sent on a mission to Chili, and General La Mar was made President

Bolivar had been recalled from Peru to Colombia, by urgent circumstances, the remote causes of which cannot even as yet be explained. In the latter part of 1824, he had been re-elected as President of Colombia, but he appears to have been little satisfied with the honor, and to have left the administration of affairs entirely to Santander, who had also a second time been chosen as Vice President. In the spring of 1826, General Paez, an officer distinguished for the tyrannical nature of his disposition, as well as for his courage, on occasion of some disagreement with the civil authorities in the Venezuelan Departments of Colombia, declared, that they should no longer form part of the Republic, and in this resolution he was supported by the great mass of the people. Santander, on receiving news of this, prepared to send forces against Paez; but ere he could collect them, a similar secession was threatened in the south, where the Departments of Guayaquil, Quito, and some others had resolved that the whole powers of the State should be confided to Bolivar, as the only means of terminating the anarchy then pervading every part of Colombia. Under these circumstances, Bolivar left Peru, but whether to restore quiet or to foment the disturbances and profit by them, we have no means of knowing with certainty. It is generally believed that his object was to obtain the adoption of the Bolivian Constitution in Colombia at once; and that the movements in Venezuela and at the south had been prepared by him, as the means of freeing himself from the restrictions of the existing system.

At Guayaquil he refused the dictatorship offered to him, and recommended that a general convention should be called for determining upon a new plan of government. The same recommendation he repeated at Bogotá, where it was received with but little favour, and he then passed on to Caraccas, in which the disturbances subsided at his approach. Whatever may have been his plans for the future, they were deranged by the news which he there received, of the overthrow of his Constitution in Peru; and still more by the decided opposition to his system, manifested by the Colombian troops, whom he had left in that country. These latter, headed by a Colonel Bustamente, on returning from Peru through Guayaquil, had declared in opposition to the proceedings of that and the neighboring departments in proposing to invest Bolivar with the dictatorship, and had employed themselves in restoring obedience to the Constitution. The army was, therefore, not to be depended on for the enforcement of an arbitrary system; a still more bitter disappointment was, however, in store, for the Liberator of Colombia and Peru.

The Bolivians soon found themselves as little content with their form of Government as the Peruvians, and a conspiracy was formed for the purpose of destroying it, and of freeing the country from the presence of Sucre and his Colombians. The Peruvian Government took part with the malcontents, and sent an army under Colonel Gamarra to their support; on its approach the President of Bolivia prepared for defence, but finding himself abandoned by the whole of the people, he entered into negotiations with Gamarra which terminated in his agreeing on the 6th of July, 1828, to quit the country with his Colombians. Accordingly, a constituent assemoly having been convened, the President, on the 2d of August, resigned his office, and went with his soldiers to a port on the Pacific, from which they took shipping for Guayaquil. The Congress then elected General Andres Santa Cruz to act as President until a more permanent form of government could be established.

These proceedings gave rise to much ill feeling among the inhabitants of Peru and Colombia; and ere long, a war was commenced between the two countries. The Peruvians, under their President, Lamar, invaded the southern provinces of Colombia, which they endeavored to attach to their own Republic, on the ground, that that had formed part of the Viceroyalty of Peru; and having taken Guayaquil with but little opposition, they marched towards Quito. They were, however, met on the 28th of February, 1829, in a pass of the Andes, called Tarqui, and there defeated by the Colombians under Sucre, who was anxious to avenge the evils which he had sus-

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tained from them. The consequence of this action, was a convention dictated by Sucre, agreeably to which, the Peruvians renounced forever, the claims advanced by them to the southern territory of Colombia, and both parties acknowledged the independence of Bolivia. The ill success of Lamar in this expedition rendered him unpopular, and on his return to Lima, he found his powers usurped by General Fuente; the army being also against him, he resigned his office as President, and was sent to Guatemala where he soon after died. Gamarra, who had arranged all the opposition to Lamar, was then elected President, his coadjutor, Fuente, being at the same time made Vice President.

In Chili, O'Higgins had been displaced from his Supreme Directorship in 1822, and many attempts were afterwards made there, as in Peru, to fix some plan of administration for the country. The wildest anarchy, however, continued to prevail throughout it for many years, there being neither general intelligence nor honesty among the people, nor any of that character or talent among the rulers, which could enable one man to bend the others under his will. Generals Prieto and Freyre were for some time the most prominent persons, in one or other of whose names, constitutions were alternately promulgated and overthrown; finally, however, Prieto succeeded in establishing himself in power, and Freyre took refuge in Peru. Under Prieto's authority, the last Constitution was signed, on the 22d of May, 1833; it appears to be more rational in its provisions than any of the preceding ones.

The first Constituent Congress of La Plata assembled at Buenos Ayres in 1817, issued a *Provisional Regulation* for the Government of that section until a constitution could be devised and adopted. But the country soon after began to be divided into separate sections, in each of which endeavours were made to establish an independent State. General Artigas ruled the country on the eastern side of the river of La Plata, with despotic power, although the Brazilians occupied its capital Montevideo. The northwestern portion as we have seen, erected itself into a separate State in 1821, under the name of Bolivia; and the other western provinces admitted a doubtful dependence upon the Central Government established at Buenos Ayres. This dependence appeared to be more firmly established in 1826, when a Constitution was agreed upon for the country, which was thenceforth styled, the Argentine Republic; but the war going on with Brazil, exhausted the resources of the nation, and disturbances of course took place in the army and among the people. Presidents and Directors succeeded each other with rapidity, the party resigning or deposed being in more than one instance executed; disorder reigned in all the cities, and the country was rendered desolate. At length, in 1828, peace was made with Brazil, on condition that the Banda Oriental, a country on the eastern side of the river La Plata, should remain independent of both parties; the Brazilians, in consequence, evacuated Montevideo, and the new State took the name of the *Cisplatine Republic of Uruguay.*

While these events were occurring in South America, the supremacy of Spain had been more speedily and more unexpectedly overthrown in Mexico, where it had appeared to be firmly re-established.

After the death of Morelos, the dismissal of the Mexican Congress by Teran, and the complete destruction of Mina and his followers, the hopes of the partisans of independence; sunk, while the system of energy on the one hand, and of conciliation on the other, pursued by the Viceroy Apodaca, rapidly overthrew or disarmed the enemies of the Spanish supremacy. Many of the insurgent chiefs accepted the indemnity offered, and of those who continued in arms there was no one to whom the rest would yield obedience; each, absolute among his own immediate followers, would brook no interference on the part of another leader, and combination of movements among them was thus always rendered impossible by mutual jealousies and mistrust. Under these circumstances, the war of the revolution was becoming merely a series of contests between the legal authorities and hordes of banditti; the wealthy and intelligent part of the population looked to the standard of Spain as the symbol of order, and there was every prospect that quiet would be gradually restored.

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Among other means of conciliation, the employment of Americans in offices of trust, profit, and honor, was found to be very efficacious; the native forces, which were at that time numerous and well disciplined, had by good treatment and by the proper distribution of rewards and promotions, been rendered more unhesitating agents of the Royal power, and more inveterate in their hatred to the insurgents than the European troops themselves. The inferior clergy, also, who were nearly all Americans, and who had before the arrival of Apodaca, been the principal instigators of rebellion, withdrew in a great degree their opposition to the Spanish supremacy, after the elevation of Don Antonio Perez, a Mexican priest of great talents and character, to the bishoprick of Puebla, the second ecclesiastical dignity in the country.

While things were thus under the wise system pursued by Apodaca, returning to their former condition, and the revolution in Mexico was becoming a mere matter of history, the Viceroy received the news of the proclamation of the Spanish Constitution at Cadiz; and he was shortly after commanded by the Government of Madrid, to re-establish that system in the dominions subject to his authority. This was done; the press was freed from preceding restrictions, elections of provincial and municipal officers, and of deputies to the Cortes were held, and the insurgents were invited to throw down their arms and accept the new institutions offered to them, with entire pardon for past offences. As might have been anticipated, the whole country was again thrown into a ferment by these proceedings; the hopes of the partisans of independence were revived, new projects for a separation from Spain were formed, and discussions took place openly respecting the species of government which might be most proper for the future State.

These signs of approaching disturbances continued increasing, until the 24th of February, 1821, when the revolution again burst forth at the town of Iguala, between Mexico and Acapulco. The circumstances which led directly to this revolution cannot as yet be stated with confidence; there is, however, a weight of evidence sufficient to induce a belief that they were the following:

The Viceroy, Apodaca, was opposed, from principle, to the Spanish Constitution; and he lent his aid very unwillingly to its establishment in Mexico, where he saw that it would be employed by the partisans of independence as a powerful means of advancing their own views. When this anticipation was confirmed, he determined to attempt the bold measure of restoring the authority of the absolute sovereign in Mexico, so as, if possible, to prevent that valuable possession from being lost to Spain. In these views he felt assured of the coincidence of the clergy, who were irritated by the abolition of many of the monastic orders, and the confiscation of church property by the Cortes; but for the execution of it, a military force would be required, and he could not depend upon the aid of the Spanish troops who, as well as their officers, were generally attached to the Constitution. On the other hand, however, he thought that he might rely on the co-operation of the native forces, who, as before stated, were numerous, well disciplined, and had always shown themselves active and unscrupulous agents of despotism. To the arms of the latter, and the influence of the priesthood, he resolved to trust for the fulfilment of his design; and the direction of its execution was committed to one, in whom each of those classes placed great confidence.

Augustin Iturbide has been mentioned more than once in these papers as a daring and determined foe to the independents in Mexico. This man had, by his gallantry and success, raised himself to the rank of Colonel in the Spanish service, and was, in 1816, the commander of the province of Guanaxuato and the surrounding country, when he suddenly retired from the army, or was privately dismissed, in consequence, as it is supposed, of suspicions with regard to his fidelity. Certain it is, that he had held secret correspondences, on more than one occasion, with the chiefs of the insurgents, and had received offers of high commands from them. In his retirement, Iturbide devoted himself to religious exercises, and labored, by every means in his power, to extend his connections among the clergy; in this he succeeded fully, and at the time to which we now refer, he was as highly esteemed for the sanctity of his character as

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he had formerly been for its ruthlessness. He had friends and partisans throughout the whole country, and when, agreeably to the imitation of the Viceroy, about the end of 1820, he accepted a command in the army, his re-instatement was hailed with enthusiasm by the soldiery and the people.

In the month of February, 1821, Iturbide left the city of Mexico to take the command of a large native force, ostensibly with a view to act against the insurgents in the south, who, under Guerrero, were again becoming formidable; it is, however, supposed that he was really charged to keep in check the Spanish troops, who were principally collected in that quarter, whilst the Viceroy should declare the re-establishment of the authority of the absolute Sovereign at the capital.

Thus far, we have stated what appear to have been the facts; the remainder of Iturbide's proceedings are well known. On the 24th of February, 1821, he assembled the chief officers of his army at Iguala, and presented to them a set of propositions for the institution of a national government in Mexico, which are termed in the history of that country, *The Plan of Iguala.* The amount of these propositions were:

1. That Mexico should form an independent empire, the crown of which should be offered to the King of Spain, and, in the event of his refusal, to the other Princes of his family in succession, upon condition that the person accepting it should reside in the country, and should swear to observe a constitution to be fixed by a Congress;

2. That the Roman Catholic religion should be supported, and the rights, immunities, and property of its clergy should be preserved and secured;

3. That all the actual inhabitants of Mexico, whatever might be their birth place or descent, should enjoy the same civil rights;

These three propositions were termed the *The three Guarantees*, and an army was to be raised for their establishment and defence. This plan is generally supposed to have been drawn up by the heads of the religious congregation of the *Profesa* in Mexico, under the direction of the Bishop of Puebla, who was one of the most attached friends of Iturbide; the latter, however, always insisted that he himself had been the sole deviser of it, although he admits that it was shown to and approved by the other persons mentioned.

The proposed arrangements having been agreed to by the officers, were, on the 2d of March following, submitted to the troops who received them with enthusiasm, and immediately assumed the name and colors of *the Army of three the Guarantees.* Guerrero soon after, added his forces to those of Iturbide, and they also received an important accession in the person of Guadeloupe Victoria, who had for the three years previous wandered in the forests of Vera Cruz without seeing or being seen by a human being. The news of the revolution spread rapidly throughout Mexico. At San Luis Potosi, Colonel Anastasio Bustamente (now President of the Mexican Republic) with his whole regiment declared in favor of the Plan of Iguala; the Province of Vera Cruz was in insurrection, and the city was besieged by Don Antonio Lopez de Santa Anna, then a young officer; Puebla, Guanaxuato, Queretaro, Durango, Valladolid, and all the principal places except the capital, were soon in quiet possession of the Independents. The Mexicans, indeed, scrupled a little at first at the idea of receiving a Bourbon Prince, but they soon became assured, that there was but little prospect of the execution of that part of the plan.

The Viceroy, it is believed, was at first inclined to accede to the Plan of Iguala; certain it is, that he took no very decided measures to oppose it, and he was on account of his apathy or apparent acquiescence deposed on the 6th of July by the Spanish troops at the capital, who then placed General Novella at the head of the Government. Ere the opposing parties could be brought in presence of each other, General O'Donojn, an old and highly respected officer, arrived at Vera Cruz from Spain, with the commission of Captain General of Mexico; and seeing at once that all efforts to arrest the revolution by means of the Spanish forces in Mexico, would be unavailing, he proposed to treat with Iturbide. This proposition was accepted,

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and the two generals met at Cordova, about sixty miles from Vera Cruz, on the 24th of August. The result of their conference was a treaty signed on the day of their meeting, by which the Captain General recognised the independence of the Mexican Empire upon the basis contained in the Plan of Iguala; and it was agreed, that two commissioners should instantly be sent to Spain, to communicate it to the Government of that country, and to offer the Crown of Mexico as therein arranged. It was also agreed, that a Junta should instantly be appointed, which should select persons to form a Regency for the administration of the affairs of the Empire, until the arrival of the Sovereign, and that a Cortes should be convened for the purpose of forming a constitution; moreover, that the Army of the three Guarantees should occupy the capital and strong places, and that the Spanish troops should as soon as possible be sent out of the country.

The independence of Mexico may be considered as commencing on the 24th of August, 1821, when this treaty of Cordova was signed by the highest legitimate Spanish authority is the country on the one hand, and on the other by the person actually possessing the supreme power over it, by the will of the great majority of its inhabitants. Agreeably to its terms, the commissioners were immediately sent to Spain, the Spanish troops were withdrawn to places assigned for their reception, and the Army of the three Guarantees entered the capital on the 27th of September. On that same day, the Junta was formed, its members being all chosen by the general-in-chief; this board immediately elected the Bishop of Puebla as its President, drew up a manifesto to the nation which was issued on the 13th of October, summoned a Cortes of the Empire to meet in February following, and appointed a Regency, the Presidency of which was, of course, conferred upon Iturbide. This daring man was at the same time made Generalissimo of all the forces, and invested with almost regal powers and dignities, for the support of which he was to receive one hundred and twenty thousand dollars per annum. O'Donoju could not survive the mortification of being obliged to countenance these proceedings, by which his country was robbed of its most valuable possessions, and on the 8th of October he died in the city of Mexico.

Iturbide now employed himself diligently, in preparing the Mexicans for receiving him as the chief of the nation. With this view, he did all in his power to ingratiate himself with the aristocracy, the clergy and the army, sedulously separating himself from those by whom the war of independence had been maintained. His plans for the organization of the Congress, were, however, not accepted by the Junta; instead of two houses, but one was allowed, composed of deputies elected by the people; it was, however, arranged, that those provinces which sent more than four members, should choose one ecclesiastic, one military man, and one lawyer.

The Mexican Cortes or Congress thus constituted, met at the capital on the 24th of February, 1822, and ere they began their operations an oath taken by each member, separately, to support the provisions of the Plan of Iguala. Notwithstanding this oath, however, they were soon divided into three parties; *the Republicans*, anxious to adopt a system similar to that of the United States; the *Bourbonists*, in favor of the exact execution of the Plan of Iguala, and the *Iturbidists*, who wished their idol to be elevated at once to the throne. The Republicans and the Bourbonists united against the third party, and the discussions became violent.

While these things were going on in Mexico, the Spanish Cortes, had among other serious matters, been deliberating on the measures which should be adopted with regard to America, and various plans of pacification were proposed. At length arrived the news of the insurrectionary movement at Iguala, and afterwards, the commissioners who were empowered to offer the crown of the Mexican Empire to the King and the other members of the royal family. How these propositions were likely to be received by the Cortes, may be easily imagined; the convention of Cordova between Iturbide and O'Donoju was declared void, and orders were sent to the Representatives of Spain, in other countries, to protest against any recognition of the independence of Mexico. It was also resolved, that efforts should be made for the

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preservation or recovery of the American possessions, by reinforcing the Spanish troops in those countries; this resolution could, however, only be regarded as an energetic expression of opinion on the part of the Cortes, as not a man nor a dollar could then have been spared from the kingdom, torn by internal disturbances, and threatened by foreign enemies.

These determinations of the Cortes taken on the 12th of February, 1822, were made known in Mexico in April following, where they excited considerable sensation. In anticipation of such replies to the propositions made agreeably to the Plan of Iguala, Iturbide had been employing every means in his power, to create a strong feeling in his favour among the people, as well as in the army. The Congress, however, were in general opposed to him, and many of its members were retiring, in order to avoid the scenes which they saw must follow. The crisis at length took place on the 18th of May, when the army and the people of the capital proclaimed Iturbide Emperor of Mexico, and the remaining deputies of the Congress sanctioned the choice by a decree. On the following day, the Regency resigned its powers, the new Emperor took the oath to support the independence, religion, and Constitution of Mexico, and was installed in the ancient palace of the Viceroys, under the title of Augustin the First.

It may be supposed, that this choice was not hailed with universal satisfaction, and that the old chiefs of the insurgents, who had for so many years been submitting to dangers and miseries, could scarcely be pleased to see one of their most bitter persecutors, raised to supreme power over them in a moment. Accordingly, Guerrero, Bravo, and Guadeloupe Victoria, soon prepared to betake themselves to their old haunts, and to reassemble their followers in opposition to the new sovereign; and even Santa Anna, the most ardent partisan of the imperial cause, showed signs of discontent. The Congress, too, was loud in its complaints against the extravagance and the despotism of its master; who, having endeavored in vain to quiet this body, by imprisoning some of its members, at length, on the 30th of October, closed its doors, and replaced it by a Constituent Junta, composed of forty-five persons of his own selection.

The Constituent Junta, established by Iturbide, did nothing to satisfy the people; and an insurrection broke out in the northern provinces, headed by a man named Garza. This was soon put down by the forces of the Government; Iturbide was not, however, equally successful with regard to the second attack made upon his authority. He had conceived suspicions of Santa Anna's fidelity, which induced him to withdraw that officer from his command, and he ordered him to appear at the capital. Santa Anna learnt the news of his removal at Jalapa, a city on the road between Mexico and Vera Cruz; and without losing a moment, he set off for the latter place, which he reached before the arrival of the Emperor's orders. Assembling the garrison, he harangued them upon the subject of the injustice and despotism of the existing government, and called upon them to aid him in overthrowing it; they received his proposition with joy, and immediately joined him in proclaiming a Republic. Santa Anna having then reduced to submission the neighboring towns, marched against Jalapa; from this place, however, he was repulsed by Echevarri, the Captain General of the Province, and forced to take refuge for a time in a mountain, overlooking the celebrated Royal bridge, thirty miles from Vera Cruz. Here he was joined by Guadeloupe Victoria, on whose appearance many flocked to the standard of the insurgents; their success nevertheless remained a matter of doubt, until Echavarri took part with them, and a new *plan* was formed on the 2d of February, 1823, called the *Act of Casas Matas*, by which that of Iguala was entirely superseded.

The *Act of Casas Matas* guarantying a republican form of government, was universally adopted, and Iturbide finding himself deserted by all parties, abdicated the throne on the 19th of March, just ten months after he had first ascended it. He was escorted to the coast near Vera Cruz, and on the 11th of May embarked with his family for Leghorn, an ample annuity having been secured to him for life, on condi-

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tion, that he should not revisit Mexico. This condition, unfortunately for him, he did not keep; his partisans encouraged him to return and head them; imagining himself a Napoleon, he complied with the invitation, and leaving Europe secretly, he landed at Soto la Marina, on the 8th of July, 1824. Here he terminated his career like Murat, having been immediately arrested by the authorities, and shot.

The Spanish troops had been removed during the reign of Iturbide from the Republic, with the exception of a few who continued to hold out the strong Castle of San Juan de Ulua, situated in the sea, within half a mile of Vera Cruz. Here they remained obstinately refusing to depart or to surrender, until the 20th of December, 1825, when they evacuated the fortress, to the great relief of the citizens of the place, which lay under their guns.

After the abdication of Iturbide, the executive power was confided to a commission of three, until a constitution could be provided by a competent assembly. After some time, this was effected, and, on the 4th of October, 1824, a constitution, framed almost entirely upon the basis of that of the United States, was solemnly proclaimed; the Catholic religion was, however, supported to the exclusion of all others, and there was no trial by jury. The territory was divided into nineteen States and four territories, corresponding nearly in names and limits, with the *Intendencies* under the Spanish regime; the General Legislature was composed of two chambers, constituted nearly like those of the United States, and the chief executive power was committed to a President, chosen for four years, by entire majority of the States; during whose absence or inability, a Vice President was charged with the same duties. In the election of these chief officers, the candidate having the greatest number of votes after the President, became Vice President. In the first election, General Victoria was made President, and General Bravo, Vice President. These appointments were in every respect unfortunate. Victoria and Bravo, though active and persevering as leaders of guerillas, were totally unfit to guide the concerns of a State; they were both men of moderate capacity, uneducated, and unacquainted with any other than the simplest relations between the governors and the governed. Moreover, they had long been rivals, and the mode of their election only served to excite jealousy and mistrust. Fears of such results were entertained at the time of their election, and were afterwards fully confirmed.

Until 1821, Guatemala, one of the most ancient possessions of Spain on the American continent, had remained in a state of almost absolute tranquillity. Soon after the proclamation of the Plan of Iguala, the people of Chiapas, a province under the control of the Captain General of Guatemala, but more nearly connected by natural circumstances with Mexico, unanimously resolved to attach themselves to the latter country, under the system proposed by Iturbide. The remaining provinces then threw off their allegiance to Spain, and as there were scarcely any troops in this section, the revolution was conducted without opposition; indeed, nearly all the principal members of the existing Government participated in it, and united with others, in forming a provisional Junta to deliberate on what was to be done In this Junta, which met in September, one party were in favor of union with Mexico, agreeably to the terms of the Plan of Iguala, while another preferred a federal republican system of government, unconnected with Mexico. Iturbide, in order to decide the question in favor of submission to his authority, sent a large force immediately into the country, on the approach of which, the Junta declared Guatemala to be united with the Mexican empire. This decree, issued January 5th, 1822, however, produced no effect upon the people, who in all the provinces except Chiapas, prepared to resist its execution. The Mexican troops, upon this, entered Guatemala; General Filisola, an Italian, who had been President of the Provisional Junta, placed himself at their head, in order to enforce submission to the decree of union, and several engagements took place between the parties during 1822, in all of which the Mexicans were defeated. At length, after the overthrow of Iturbide, the contest was ended by mutual consent; Filisola with his troops abandoned the territory east of Chiapas, and a constituent assembly convened at the capital, proclaimed

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the independence of the remaining provinces, on the 2d of July, 1823. The Government adopted was, like that of Mexico, Federal Republican, the provinces becoming States; jealousy, however, prevented the retention of the old name of Guatemala, for which the inconvenient and vague appellation of *Central America* was substituted. The new Republic was speedily acknowledged by Mexico, the United States, and other Powers in Europe as well as in America, and these recognitions were followed by treaties of amity and commerce with each. Chiapas has, however, constantly remained attached to Mexico, a circumstance which has occasioned much ill feeling between the Governments of the two countries.

We have hitherto abstained from any notice of the proceedings of the Government of the United States, with regard to the contest between Spain and her dominions in America; as those proceedings had but slightly and indirectly affected that contest. During the imprisonment of Ferdinand, there had been no official communication between the Government of the Union, and any of the Powers claiming the direction of affairs in Spain. An attempt was made in Congress, in 1809, to procure the recognition of Joseph Bonaparte as the sovereign of that kingdom, but it failed; and, on the other hand, Don Luis de Onis, who was sent to Washington in the same year by the Supreme Junta, as its Minister Plenipotentiary, was never acknowledged in that character, until the restoration of Ferdinand.

The first step which was publicly taken by the Government of the United States with regard to the insurgent dominions of Spain in America, was a passage in President Madison's message of November 5th, 1811, expressing a feeling of interest in their behalf; this was followed by a resolution of the House of Representatives declaring its solicitude for their welfare, and its desire to enter into relations of amity and commerce with them, as soon as they should have attained the condition of independent nations. An opportunity was however afforded for open communications between the American Government and the insurgents of Spanish America by the earthquake in Caraccas, in 1812. As soon as this disastrous event was made known in the United States, the Congress which was in session, on the 8th of May, 1812, ordered the sum of fifty thousand dollars to be laid out in provisions for the relief of the survivors; and the agents sent for the purpose of delivering the articles, expressed, as they were authorized, the desire of their Government, for the establishment of intercourse between the two countries.

Commissioners had also been appointed by the United States, to visit the various revolutionized sections of Southern America, and to report upon their condition. The success of the Spanish arms in Mexico and other parts of the continent, prevented these views from being carried into execution with regard to those countries; Mr. J. R. Poinsett, of South Carolina, one of the commissioners, however, sailed for La Plata, in 1811, and remained in that country and in Chili until 1814. The reports of this gentleman upon the condition of these sections, as well as of Peru, are documents of the utmost value, from the satisfactory historical information, as well as the important geographical and statistical details which they contain, and which were all derived from observation or original official resources.* Other commissioners were afterwards, in 1817, despatched to those countries; and agents were likewise about the same time received from Venezuela, La Plata, and Chili.

In 1818, a proposition was officially made by the Government of the United States to that of Great Britain, for a concerted and provisional acknowledgment of the independence of La Plata; it was declined, and it is believed to have given offence to the Sovereigns assembled in conference at Aix la Chapelle. Public opinion, however, grew stronger in the United States in favour of the Patriots of Spanish America, being daily increased by the details of the horrible proceedings of Morillo and

* These highly interesting Reports may be found among the documents communicated by President Monroe to Congress, on the 15th of December, 1818. Accounts of Mr. Poinsett's proceedings in South America, as well as in Mexico, will be found in another part of the present number of this Magazine at page 447 *et seq.*

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the other monsters in Colombia, and by the seizure of the vessels of the United States on the coast of that country in virtue of the pretended blockade. Many attempts were also made in Congress, particularly by Mr. Henry Clay, to procure a public recognition of the independence of those portions of the Southern Continent from which the Spaniards had been expelled. At length, on the 8th of March, 1822, President Monroe, in a message to the National Legislature, declared his conviction, that the United States could not consistently, with justice or with policy, longer delay the commencement of relations with these countries, as they were *de facto* free from the authority of their former European rulers. On the day after this message had been sent, the Spanish Minister at Washington remonstrated, officially, against the recommendation thus made, and he subsequently communicated to the President, the decrees of the Cortes, protesting against the admission by any other Government, of the claims of those countries to be considered as Sovereign States. Nevertheless, both Houses of Congress adopted the views presented in the message, and, on the 4th of May, appropriations to a large amount were made by the House of Representatives, for the expenses of such missions, as the President should think proper to send to the countries in question.

Ministers were accordingly immediately appointed and despatched to Colombia, La Plata, and Chili, from which agents of similar character were also received at Washington. With Mexico it was not judged expedient to commence political intercourse at once, but Mr. Poinsett was despatched in the latter part of 1822 to that country, in order to examine into its condition. The reports of this gentleman showing the unsettled state of things in Mexico, and his opinions, which were soon verified, that the imperial system established by Iturbide, must speedily fall, served to confirm the propriety of the delay in entering into relations with its Government.

The Ministers sent to the South American States, were charged to declare that the Government of the United States had sympathised with them, during the whole period of their struggle, and had recognised their independence as soon as it had been really achieved; that a strong desire existed on the part of that Government for relations of amity and commerce with those of South America upon reciprocal terms and according to the most approved principles of international law. They were also instructed to obtain information, as precise as possible, with regard to the views and objects of a Congress of Representatives from the several American States, which was said to be about to take place.

The principles adopted by the United States with regard to the interference of European Governments in the affairs of America, were afterwards fully set forth in the message of the President to Congress, on the 2d of December, 1823. In that message it is declared, that the American Continents were not in future to be considered subjects for colonization by any European Power—and that no attempt should be made by the Allied Powers, whose system of absolute government then pervaded nearly the whole of Europe, to introduce that system into any part of either of the American Continents. These were bold declarations; however, it must be remembered, that the British Government had nearly a year previous declared, that it would refrain from opposing the execution of the intentions of France and the Allied Powers of Europe towards Spain, only upon certain conditions, one of which was, that those Powers should not attempt to extend their principle of interference to Spanish America.

The idea of a general Congress of the American States, for the purpose of framing a confederacy, appears to have originated with Bolivar, who, in 1823, proposed it to the Governments of Mexico, Colombia, Peru, Chili, and Buenos Ayres. Some of these Governments acceded to this proposition, and their Ministers at Washington, in 1825, requested the President also to send commissioners to Panama, which had been selected as the most convenient point for the meeting, provided with powers to treat upon points concerning the welfare of the American continent. The Secretary of State, Mr. Clay, replied, that the United States could not take part, directly or indirectly, in the war against Spain, and that although his Govern-

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ment would willingly be represented in the proposed Congress, yet it would be proper that the points upon which the discussions would turn should be known precisely. The answers to this declaration were by no means precise, but they were such as with other circumstances to induce the President to bring the matter before Congress, and to propose the appointment of the commissioners, which he accordingly did on the 25th of December, 1825.

The proposition to send Ministers to Panama, was seriously opposed in both Houses of Congress, on the grounds, that it would involve the United States in foreign alliances, so as to prevent them from acting exclusively for the advancement of their own interest, and for other reasons equally just and proper, which we have no space for relating. After a series of long and stormy discussions, it was at length decided, on the 21st of April, 1826, by a strong vote in the House of Representatives that Ministers ought to be sent to the Congress of Panama; and, accordingly, Mr. Richard Anderson, the Envoy of the United States in Colombia, and Mr. John Sergeant, of Philadelphia, were appointed for the purpose. Mr. Anderson died on his way to the place of meeting, and Mr. Sergeant deferred his departure from the United States on account of the unhealthiness of the season, until the Congress was terminated.

The Representatives of Peru, Mexico, Central America, and Colombia, met at Panama, on the 22d of June, 1826, agents being also present from the Governments of Great Britain and the Netherlands; and, on the 15th of July, they produced treaties of friendship and perpetual confederation, offensive and defensive, to which all other American Powers might accede. They then separated, having agreed previously to meet at Tacubaya, near Mexico, in February, 1827. The treaties concluded at Panama were not ratified; no Congress was convened at Tacubaya, and the opinions of those who considered the plan chimerical were confirmed.

In 1825, Mr. Poinsett was accredited as Minister Plenipotentiary of the United States near the Mexican Government, and was received in such capacity in June of that year. About the same time, Mr. Ward arrived as Envoy from Great Britain, and Mexico was thus publicly recognised by the two Powers with which it was most important for her to enter into amicable relations. A treaty of amity commerce and navigation was concluded without delay, between Mr. Ward and the Mexican Minister of Relations, it was not, however, ratified by the British Government until considerable changes had been made in its provisions. Mr. Poinsett had also been charged to negotiate a treaty of amity, commerce, navigation, and limits between his country and Mexico; with regard to limits, he was, if necessary, to recognise as subsisting, those which had been settled with Spain, on the 22d of February, 1819, when Florida became part of the United States; he was, however, if possible, to obtain a new line of division between the territories of the two Republics, westward of that agreed on with Spain, so as to give to his own country the extensive tract called Texas.

The Mexican Government, however, did not seem inclined to assent to either of these propositions; although it had previously expressed through its Minister at Washington, the desire that the provisions of the treaty of 1819, should be extended to Mexico. The Minister of Relations, Don Lucas Alaman, an acute and dexterous politician, after many manœuvres, at length declared, that it would be better to have the region intervening between the acknowledged possessions of the two nations examined, before any determination should be made as to boundaries; in the mean time, he was ready to treat upon the other subjects which it was material to have settled. To this Mr. Poinsett reluctantly agreed, and accordingly a treaty of amity, commerce, and navigation between Mexico and the United States was signed by the two Plenipotentiaries, on the 10th of July, 1826. This treaty was, however, not ratified by the Senate of the United States, nor acted on by the General Legislature of Mexico; and the latter body, even resolved, on the 2d of April, 1827, that it would not take into consideration any treaty with the United States, unless a provision should be inserted in it, confirming the boundary between the two Republics, as settled in 1819. Now,

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as the United States had never refused to confirm that boundary, and Mexico had insisted upon an examination (which was never made) of the territory, in order to fix a new one, this resolution seems to have been at least unnecessary, and may perhaps be qualified as frivolous. Possibly, it may have been intended, to accelerate the movements of the Mexican Executive upon the subject.

Mr. Poinsett was then instructed by his Government, on the 15th of March, 1827, to propose to purchase the desired tract of territory from Mexico, so as to fix the western boundary of the United States on the river Colorado, or even on the Rio del Norte; but this proposal was rejected by the Mexicans, and years passed on without any determination either of the limits, or of the rules and principles by which the intercourse between the two Republics was to be conducted, although this intercourse was daily increasing. Meanwhile, grants of land in Texas, were daily made to individuals, natives of the United States, and of other countries, as well as Mexicans, and a population was rising in that region, essentially foreign to Mexico in language, habits, and religion. From Great Britain, Mexico received a vast amount of capital, which was expended in almost every instance, fruitlessly, in attempts to work new silver mines, or to restore to use those which had been abandoned; the mining operations were, however, much improved and the proportion of the precious metal obtained has been much greater since than before the separation from Spain.

During the administration of Guadeloupe Victoria, little was done to bring Mexico to that state of quiet and security, so indispensable for the happiness and advancement of a country. The finances were badly administered, and peculation was openly practised in every direction. The President and Vice President, as before stated, were enemies, the latter headed the opposition, and actually, on one occasion in January, 1828, appeared at the head of forces in insurrection against the constituted authorities, he was, however, on this occasion, defeated and made prisoner by Guerrero. Independently of the evils arising from the personal ambition of various individuals, there were strong parties, at war with each other upon material points of government. One party wished to maintain the privileges of the aristocracy and the clergy, and for that purpose was desirous of seeing established a central system of government; the other, a democratic party, wished to reduce these privileges, and to maintain the Federal Constitution. By the exertions of the latter, a law was passed in 1826, putting an end to all titles of nobility, and restricting parents, with regard to the distribution of their property among their children. Another question, which strongly agitated the people, was, whether the Spaniards should be allowed to remain in the Republic or not; by the influence of the same party, the expulsion of this class of the population was effected, in virtue of a decree, passed on the 8th of March, 1828.

The affairs of the State also became involved with Masonry, which produced as much evil in Mexico as it appeared once to threaten in our own country. Those who are adepts in Masonry, know that there exists a schism in the masonic world on the subject of rites, ceremonies, and opinions; one party adhering to those of the *Scotch* Lodge, *(the word lodge is here used collectively,)* the other submitting to the rules of *York;* the lodges in the United States are all constituted upon the York principles. Masonic societies, professing the Scotch rites, had existed in Mexico for some time previous to the extinction of the Spanish authority, and during the wars of the revolution they had afforded facilities for the propagation of plans of insurrection, and of other information among the people. On the establishment of the Republic, these societies were filled chiefly with persons professing aristocratic principles of government; they were used as the means of combining operations for the maintenance of such principles, and were accordingly favored by the Representatives of Great Britain, which was then by no means anxious for the extension of the republican system throughout America. The Grand Master of the Scotch masons was General Bravo, who was for some time their favorite candidate for the Presidency; they had endeavoured to raise him to that station at the first election, and are supposed to have been the advisers of his insurrection in 1828, which terminated so

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unfortunately for him. There were, however, some *York* Lodges in Mexico, the members of which were attached to democratic forms of government, and acted politically in opposition to the Scotch; thus, the two great parties in Mexico received the names of *Escoceses* or *Scotch*, corresponding as to the political opinions professed, with the English *Tories*, and *Yorkinos* or *Yorkists*, whose views nearly resembled those of the *Whigs* in Great Britain.

As soon as Mr. Poinsett arrived in Mexico, he was solicited by several eminent members of the Government and others, to obtain from the United States, a charter for the establishment of a Grand York Lodge in that city; he complied, and accordingly procured such a charter from De Witt Clinton, at that time the Commander of the Faithful in Masonry, throughout a large portion of the United States. This circumstance, together with the republican opinions, which Mr. Poinsett did not hesitate to avow—and which we hope no American diplomatist will ever shrink from declaring—excited against him the animosity of the *Escoceses*, and rendered them anxious to free Mexico from the presence of one, the influence of whose character, could not but be injurious to the success of their plans. They accordingly employed every means to misrepresent his views and proceedings, accusing him alternately, as circumstances rendered the charges most convenient for their ends, of a desire to overthrow the religion of the country, and to annex it to the United States, of favoring or opposing the expulsion of the Spaniards, and of other designs equally at variance with his character and his manifest intentions. In order to avoid giving any color to these accusations, the Minister of the United States, sedulously abstained from all connection with the Masonic lodges, and endeavoured as far as possible, to escape being called on, as he however frequently was, to pass his judgment on proposed political plans and movements.

In 1828, the second election for President and Vice President of Mexico was to be held. The *Escoceses* failing in their plan to have their Grand Master Bravo elected, put forward the Minister of War, General Gomez Pedraza, a man of strong character and capacity, much disliked, however, in the army, on account of his arbitrary principles. The candidate of the *Yorkinos* was General Vincent Guerrero, the persevering Indian Chief, who had just defeated and taken Bravo, who had never bent to the threats or bribes of the Spaniards, and had never despaired of the independence of his country; bold, honest, and frank, but weak and illiterate, he was much better qualified for conducting a rapid march through a region occupied by enemies, than for counteracting intrigues, and devising measures for the recovery of the finances and for the pacification of a troubled country. The election was held in September, and the result was that Pedraza was chosen by a small majority over Guerrero. The announcement created great satisfaction on the one hand, and a corresponding disappointment on the other. Scarcely was it made known ere an insurrection broke out.

The ever restless General Santa Anna, on account of some disturbances which he had fomented or abetted, had been removed from his command at Vera Cruz, and taken up his residence at Jalapa. Here considering the election of Pedraza as offering a good opportunity for an insurrection, he prevailed on the troops to join him, and, on the 10th of September, 1828, followed by a large body of men, he suddenly left Jalapa, and marched upon the fortress of Perote, situated thirty miles distant on the road to Mexico. Having obtained possession of this fortress, and of a large amount of public money, he declared himself Commander of the Liberating Army, and proposed his *Plan* for the reform of the Government, which is known in Mexican history as the *Plan of Perote*.* By the terms of this plan, the election of Pedraza was pronounced fraudulent, and the Legislature was required to make a new choice.

* We have already, while speaking of Iturbide's proceedings, shown, what is meant in Mexico by a *Plan*. There are, however, some other terms with which it is necessary to be acquainted, in order to understand the history of party in that country. Whenever a set of people in Mexico become dissatisfied from any common cause, or from mere want of

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President Victoria immediately declared Santa Anna an outlaw, and sent forces against him under Generals Calderon and Rincon, by whom he was at least kept at bay. In the capital, however, was a strong party in favor of this plan of Perote, headed by Lorenzo de Zavala, the Governor of Mexico, a man of influence, talent, and honesty, and possessing sufficient firmness for his support, in the trying scenes to which he was exposed. The Government which was in favor of Pedraza, suspecting Zavala to be engaged against him, ordered his arrest, but he escaped to the mountains, and joining other friends, they planned a scheme of resistance. It was carried into effect on the 30th of November, 1828, when a body of soldiery seized a large building, called the *Acordada*, opposite the *Alameda* or public gardens of the capital, and took possession of the arms stored there. The excuse for this movement, was to have the Spaniards expelled; but this was soon forgotten, in the general cry of *Long live Guerrero.* That chief appeared and headed the troops and people; nearly all the foreigners except the members of the American legation quitted the city, and for three days Mexico was the scene of combats and plunder. A party of the mob attacked the house of Mr. Poinsett, who was accused of protecting some Spaniards; he, however, advanced on the balcony, unfolded the star-spangled banner of his country, and the tigers were at once charmed into submission, as more fully related in another part of the present number.

The result of this movement was the triumph of the Yorkino party; a new election took place in which Guerrero was chosen President, and Don Anastasio Bustamente, Vice President, Pedraza being sent in exile to the United States. Victoria retired into private life, and the new chiefs of the State entered upon their respective duties on the 1st of April, 1829. Santa Anna, after having been nearly forced to surrender to Calderon at Oaxaca, was himself placed at the head of the very army, which had opposed him, and reappointed to his government of Vera Cruz.

Mr. Poinsett, after these proceedings, was more than ever exposed to the hatred of the defeated party; while, on the other hand, those who succeeded, did not venture openly to express their satisfaction with him. He was libelled in the public prints, accused of crimes, attacked in the General and in the State Legislatures, and threatened both publicly and privately. In answer to the Legislature of Vera Cruz, which had passed a resolution expressive of a wish that he should quit Mexico, he replied by a pamphlet showing conclusively, the falsehood of the ground there assumed, as well as the ingratitude and the policy of the proceedings of that country towards the United States. At length finding that his power of being useful to his own country was nearly destroyed, he was, in 1829, at his own request, relieved by President Jackson from his official duties, and succeeded by Mr. Anthony Butler, as Chargé d'Affaires.

The writer of these pages is happy to be able to add, as the result of personal observation and inquiries, that Mr. Poinsett retained the esteem of the most respectable persons in Mexico, and that he is still remembered with kind feelings by many who, actuated by the spirit of party, were among his most violent opponents.

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excitement, they begin by uttering complaints and imprecations against the existing form of government, or its members, mingled with praises of some other system or persons; this, the first stage of a revolution, is termed a *Grito.* If the *grito* continues unchecked for some days, a public meeting is held, in which the grievances and modes of redress are discussed, and arrangements are made for expressing them more clearly; this second stage is called a *Pronunciamento.* Then comes the *Plan* always bearing the name of the place at which it was concluded. Every large city in Mexico has had its *plan;* in more than one instance the garrison of a little port, headed by a sergeant, has issued its propositions for a change of government, accompanied by the resolutions of the framers, to die in its support.

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THE MARTYRDOM OF CILLEY.

The late appalling tragedy which has been enacted at the seat of our Government, before the eyes of the nation, possesses a *public* character, which not only brings it properly within the scope of the cognizance of this Review, but imposes it upon us as a duty the neglect of which would be criminal, to draw from it, and place in a distinct light before the public eye, that high political moral of which it presents so instructive though so fearful an illustration. It has such a connection with past events, through a long continued series, and such a bearing upon the future, if the moral which it teaches shall duly sink into the public mind, as constitute a point of view even superior in importance to the general question of the morality of the practice of duelling. We will therefore approach the theme, though it contains so much that we shrink from with pain and disgust, in a solemn spirit of truth and of judgment, to analyze the principles, whether of good or evil, which it involves; and, in pronouncing upon the parts borne by parties yet within the reach of the doom of Public Opinion, to embody, and record, even as a handwriting upon the wall, that verdict of public sentiment which, springing spontaneously and unanimously from the moral sense of all society, without distinction of classes or parties, may without presumption be called the Voice of God arising out of the depths of the human heart.

In the performance of this latter part of the duty which we recognize as incumbent upon us, as a constituent portion of the Press, we shall be animated by no single pulse of hostility towards any individual, even when most deeply moved by the righteous indignation and the abhorrent disgust, which the contemplation of bad principle and malignant motive, tending to and thirsting for human blood, necessarily excites in every mind.

A great crime has been committed. Fierce demons of human passions have been abroad, in the light of the sun and before the eyes of men, and have lapped from the ground the innocent blood which they have nerved human hands to shed. The deed done, they have shrunk back into the dark recesses of the hearts which they have made their home, and leave the minds of men appalled, stunned, and sickened, as from immediate contact with an Evil Presence. But, crime having been perpetrated, retribution must follow; and the accomplishment of the doom of social justice upon the guilty can alone dispel that fearful pall of crimson, which seems to have arisen like a vapor out of the earth from the scene of blood, and to darken the whole moral atmosphere through which we move. The tribunal by which that doom is to be awarded and inflicted is Public Opinion. The affair appears not to be within the reach of any other. Nor could any other inflict a punishment commensurate with the crime. This alone can, as it most assuredly will, satisfy the call for justice which now cries from the ground stained with the life-blood of Cilley.

We see in this dreadful catastrophe the natural fruit of that bitter and ferocious spirit of party, which has of late years made its way into our political contests. No person has done more to create and foster this, than the wretched individual who has enacted the principal part in this drama of death—we refer by this expression, not to the weak-minded and unhappy man who drew the fatal trigger, but to the hand which held and directed that *comparatively* innocent and passive will. It has, in fact, long been apparent that some terrible catastrophe or other of this nature was gradually approaching, such as should exorcise, by one dreadful shock, that fell spirit of malignity—malignity even unto the shedding of blood—which has arisen in the midst of our highest arena of opinion. In the dispassionate reflection upon which

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men must be forced by this awful event, it must be apparent to all, that the system of rude and random denunciation, and galling personal abuse, which has been called into play in opposing a political party, its leaders and their supporters, had been carried to a point which tended to, and must of necessity have resulted in, the most lamentable consequences of personal violence. The main contest between the two parties of the country, has been on certain broad questions of economy and political science,—and yet in what spirit have we seen the party possessed of the Executive administration, by the right of majority, perpetually assailed by their opponents? It has really been in a manner calculated to tax severely all the powers of endurance of human patience. Of the manner in which prominent leaders have been assailed,—their persons and characters ridiculed and vilified, every action misrepresented and every motive misinterpreted,—it is not necessary to speak. But a similar spirit of warfare has raged against all their supporters and friends, who have been perpetually insulted with general terms of opprobrium calculated to carry a direct individual sting of the most irritating character—being constantly held up in the light of servile and corrupt minions of power, recreant to every principle of honor, integrity, or patriotism. Can there be two opinions upon the propriety of such a system of political opposition? And will any one say that this description of the general tone which has of late years marked our public contests, especially at the seat of government, is overdrawn?

Such a course of party warfare must of necessity place the two parties, or at least a number of their prominent leaders and most ardent champions, when brought together in such an arena as the House of Representatives, in a delicate relation towards each other, out of which it is only surprising that personal collisions do not more frequently grow. Whatever differences of opinion may exist as to the merits of the public questions which have been at issue, there can be none as to the fact of the remarkable moderation—perhaps even a stronger word would be justifiable, and has been frequently applied—that has been evinced by the party which has been the object of this harassing and galling method of attack. To this fact ample testimony has been borne by their opponents themselves, in the many contemptuous sneers upon their pusillanimity, to which they have had to submit both in and out of the House of Representatives. So far was this carried—and so far did impunity encourage, and the indulgence of passion stimulate, this spirit of fierce and insolent denunciation, of a personal even while of a general character—that at length all bounds of legislative decency seemed to be transcended and spurned. The bold and high-handed manner in which the majority of that body has been bullied (we use the expression because, though strong, it has the sanction of notoriety) for two or three years past, is known to all, and almost unanimously acknowledged. A few violent spirits have lorded it over the rest, riding rough-shod over all personal opposition, and scattering insult and abuse with reckless hand, and insolent tone and defiance, to all comers who should dare to lift the ever ready gauntlet. We can state the fact, on the authority of one of the most estimable men of the Opposition, that the number of members of that high legislative body is exceedingly limited who do not habitually carry concealed weapons,—and the fact is material as illustrative of the tone of feeling which has arisen in the party conflicts of which that hall is the theatre. We have heard the remark made by a member that if any one were to venture to rise to meet these men* on their own ground, he must place a pair of pistols on the desk before him, and shew the projecting handle of a dirk or bowie-knife, from his bosom. And what man of sense or self-respect would descend voluntarily, or without absolute compulsion, into this gladiatorial arena, to the level of those who thus invited all who dared to come and meet them there? The fact is fresh in the memory of all, that, at the last session, Mr. Wise, in referring to the disgraceful scenes of the Investigating Committees, and the violent excitements which arose in the House out of them, taunted the majority in unmeasured terms of insult, with the pusillanimity with which, the

* Referring, in the last Congress, to Messrs. Wise and Peyton.

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boaster vaunted, they had cowered before the fearless defiance, personal as well as political, which had been constantly held out to them by himself and his friend Peyton, of Tennessee—saying, substantially, that on several occasions individuals had attempted to muster a sufficient show of courage to march boldly up to a certain line, on the verge of the ground assumed by them, but that they had never dared to make the step beyond, but had always shrunk back, one and all, like panic-stricken children at the sight of a ghost. This speech saves us the necessity of enumerating the instances of which the substance is sufficiently summed up in the taunt itself; or of dwelling any longer on this topic, to prove the existence of this relation between the two parties, the height to which that system of bullying, with the implied threat of the bullet or the steel, had proceeded, and the fatal fact, that the principal author of this state of things, the chief performer of this gladiatorial part, the one individual upon whose head centres the general responsibility of the bloody results to which it of necessity tended, was no other than the same wretched man now on his trial before the bar of Public Opinion, for the homicide—we choose the mildest word afforded by the fearful vocabulary of death—of Jonathan Cilley.

It was a frequent subject of remark, and of dark though undefined presentiment, what was to be the end of this state of things,—when and how the catastrophe was to come, by which, as by the storm, the troubled and threatening elements brooding throughout the atmosphere were to be purified and calmed. Recent events had given birth to the impression that the danger was passing away,—that the evil was gradually remedying itself,—and that with the self-exhaustion of the *prestige* of the individual from whom it had taken its origin, (from the signal instances in which he had recently seemed to cower before any eye that unflinchingly met and defied him on his own ground,) all tragic apprehension would subside into the ridiculous. Alas, that the nature of that malignity which seemed to have sprung from a source that we would not attempt to fathom, and which had nurtured itself, by indulgence, into a passion only to be appeased by the taste of blood, was so ill appreciated! The Evil Spirit was raised, and would not depart without the oblation of a victim. Alas, too, that the noblest, the kindliest, the truest, and the best, was to be selected for that dark martyrdom!

We now come to the narrative of the recent tragedy itself, and proceed to draw forth, in such distinct relief as shall impress itself upon every eye, even of the blindest friend or partisan, the fearful, blood-red outline of its leading features—as a sacred duty to the cause of public morals, in a case beyond the cognizance of other tribunals than that of Opinion—to that cry from the ground which sounds clear, loud, and solemn upon our ear—and to the outraged feelings of friends bereaved by a blow so ruthless, prompted by motives, which the calmest reflection compels us to pronounce, so demoniac.

The first act of this tragedy of which the country now deplores the horrible catastrophe, is in the House of Representatives, on the 23d January last, when the Hon. Mr. Wise opposed the appropriation before the House for the expenses of the Seminole war, in an animated tirade of general attack upon the Administration. He is answered by Mr. Cilley in one of the most admirable speeches ever heard in that body, in which he brings to bear, upon the unworthy factiousness from which the opposition to the bill so evidently springs, a calm earnestness of eloquence, a force of reasoning, a broad philosophic elevation of views, and a moral power of sincerity and patriotism, perfectly overwhelming. The attempt to harass the administration of the government on this point is utterly abortive, and recoils upon the heads of its authors. It cannot receive a partial support even from the spirit of party; it is utterly annihilated before the face of a moral power of reason and patriotism nobly represented in the person of Cilley; and its parent, worsted and baffled, dares not, before the eyes of the country, vote for his own proposition, and is left in a ridiculous position, "nailed to the wall" (to quote the words of a disinterested authority on the occasion, whose name would challenge the highest respect if we were at liberty to use it)—to

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brood over the rankling memory of one of the most signal, and irrecoverable overthrows ever experienced by him on that floor. We would gladly, if our limits permitted it, publish this speech entire—though very comprehensive it was of no great length, and is of course of easy access to every reader.*

The second act is on the occasion of the debate in the House upon Mr. Wise's resolution of inquiry into the charge of corruption brought against some unnamed member of Congress by the correspondent of the New York Courier and Enquirer, "the Spy in Washington," and backed editorially by that paper. On this occasion Mr. Cilley was prominent in opposing the investigation moved for, on the ground that the anonymous obscurity of the source from which the charge proceeded placed it entirely beneath the level of the dignity of the House, being without specification, individuality, oath, or direct responsibility,—an anonymous writer vouching for another anonymous person, himself vouched for by an editor of a newspaper; adding, in relation to the character of the paper in which it appeared, the following remark, as quoted in the letter in which Webb afterwards demands an explanation: "He knew nothing of this editor; but if it was the same editor who had once made grave charges against an institution of this country, and afterwards was said to have received facilities to the amount of some fifty-two thousand dollars from the same institution, and gave it his hearty support, he did not think his charges were entitled to much credit in an American Congress."

The remarkable moderation of this language must strike every reader; to the

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* We cannot here forbear from quoting the following two extracts from letters received in this city on the two successive days after the death of poor Cilley. They are both from a source entitled to the highest veneration, a fine old veteran of the Revolution, upwards of eighty years of age, who served throughout the war from the first day to the last, and has since well discharged his duty to his country, and enjoyed the marks of its confidence and gratitude, in civil life:

"Has the appropriation for Florida passed all the branches, or will they send Mr. Wise to build a palace for the "poor Indians"? I am so much pleased with the Hon. Mr. Cilley's speech, upon this subject, that it brings his grandfather more freshly to my mind. I was telling him the offer I had to take a regiment in the Oxford army,† and my answer on declining. He was all alive to me with his thanks, and told me this story: He said that one of his sons had an offer of a lieutenantcy in that army, and came and asked him if he would let him have his sword. He said: "No, my son—I don't know but I shall have to put on my spectacles and take my sword myself, to *meet* that army yet, if they continue in their tyrannical laws!" Give my cordial respects to the Honorable Mr. Cilley."

"I have been delighted with reading Mr. Cilley's speech, on the subject of the appropriation for the Florida war; it combines truth, talent and manly patriotism. He has done honor to his State, and he has my most cordial thanks. He is a grandson worthy of his ancestor, and has done honor to his name. His grandfather, General Joseph Cilley, was a Colonel in the revolution—as brave a man as ever took the field, and with as much animation as any man I ever saw—always ready to meet the enemy, if required, at the point of the steel. In the battle of Monmouth in '78, he was in command of a body of his regiment moving toward a rail fence—enemy moving toward the same fence—the British officer ordered his men when the damned rebels mounted that fence to fire upon them—upon that Colonel Cilley answers, 'two can play at that, sir,' and coming near to the fence he ordered the men in the front rank to hand their guns to the file covering them, and to take up that fence and lay it prostrate, and not break time. It was done in an instant. The British seeing this changed their front and took a retrograde march. In civil life this venerable man was held in high estimation by all the patriots of our country. He was in the executive council, and was always a patriot to the core. I used to have much pleasure in his company. Please to present my cordial respects and thanks to the honorable member, Mr. Cilley."

† The army raised by the elder Adams to support his administration, bore this name throughout New England.

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friends of Mr. Cilley it has the double interest of being in this respect strikingly characteristic of the habits of thinking and speaking of the man.*

An altercation, of a very acrimonious character on the part of Mr. Wise, arose upon this occasion. In reply to Mr. Cilley, Mr. Wise, among general remarks upon the opposition of the friends of the administration to all investigation without specific charges, &c., remarked, "Every man careful of his honor, when such charges as these are made, will not wait to have them specifically framed; and, in the present instance, he would say to the gentleman from Maine, that a member of the party to which that gentleman belongs should be the last man to oppose the investigation of a charge like this, for it was much more likely to be him that was meant by the author of the charge than himself (Mr. Wise.) I, sir, (said Mr. W.) have no influence with the Executive or any of its branches, to sell for a price," &c.

Afterwards, in the course of the debate, the following altercation took place, as we find it reported in the Intelligencer:

——But now, because he (Mr. C.) had stood up to defend the character of the House against that anonymous imputation, he was to hear the basest charges insinuated against himself—

Mr. Wise here asked if the gentleman from Maine meant to say that he (Mr. W.) had made base charges in relation to himself?

Mr. Cilley would explain. He did feel that it was ungenerous for that gentleman to have said that the presumption was rather that it was he (Mr. C.) than himself (Mr. W.) to whom this charge alluded.

Mr. Wise had made no personal charge against the gentleman, the member from Maine, false or true, none whatever, and he again asked that gentleman if he meant to say that he had insinuated base charges against him?

Mr. Cilley repeated in substance what he had before said.

Mr. Wise. Then the gentleman from Maine designs deliberately to insult me?

Mr. Cilley—certainly did not: he had not made any charge against the gentleman from Virginia. He knew his rights and those of his constituents on that floor.

Mr. Wise—understood; and did *not* understand the gentleman from Maine as disclaiming the charge that he had made base charges against that gentleman.

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*As Mr. Cilley has been insidiously represented as having spoken disparagingly of the press,† on this occasion, and even an *esprit de corps* invoked against him on this account, apparently for the purpose of mitigating the public indignation at his "murder most foul and most unnatural," we subjoin the following extract from his speech:

"This charge was very vague, and made upon the authority of an anonymous writer in the daily prints. The charge, to entitle itself to the notice of the House, should be under oath. He knew nothing of the editor of the New York Courier and Enquirer, who vouches for the authority upon which the charge is made. It might be the same editor who once accused a certain institution of buying up voters like cattle in the market, and had afterwards received facilities from the same institution. The charge, such as it appears before the House, is not worthy of its notice. Let it be distinctly made against an individual, under the solemnity of an oath, and then there would be a proper time for considering and acting upon it. He hoped this House would not be made the arena for settling newspaper quarrels, and that the members of this House would not catch up every idle rumor, and bring it upon that floor for discussion. Every President of the United States had successively been personally attacked in the papers of the day—Washington, Jefferson, Madison, and the two Adamses; but the country, the People, had made up its verdict as to those charges for itself. It was giving to this attack too much importance; it did not deserve it, as it was clearly irresponsible. If the press does a person injustice, the People will do him justice. He was known to his neighbour, and, in the end, if he be abused by the press unjustly, even the press will be in his favor. HE GLORIED IN A FREE PRESS. Men, even wrongly accused by it, need not fear its operation, while they whom it fairly criticises may derive benefit from it. He said nothing against the press, nor would he disparage it. He repeated that the authority upon which this charge now came before the House was insufficient to warrant its action; and he thought that the gentleman moving this resolution would himself think so upon reflection."

†See for instance the Evening Star of February 26, and the National Intelligencer of February 28.

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Mr. CILLEY said that he had distinctly remarked that the gentleman from Virginia had said he (Mr. C.) was more obnoxious to the charge contained in the resolution before the House, than he (Mr. W.) was; and he could say no [less than he had said, fearless of all consequences, but he had no intention to insult any one.]* The gentleman from Virginia just remarked that he had been informed of the name of the member alluded to,—why not disclose it?

Mr. WISE rose and said, that he could never again treat that gentleman with confidence who could rise in his place and repeat to the House what a member had said in private conversation in his seat.

Mr. CILLEY—had not intended to violate confidence. The gentleman from Virginia had said openly in his seat that he knew the name of the member meant.

Mr. WISE. But it was in reply to an express question of another member.

Some further explanations then took place between Mr. CILLEY and Mr. WISE, &c.

The report of it is here cut off. Mr. Cilley sustained himself with perfect firmness and dignity to the end—his manner being, according to our information, in highly advantageous contrast with that of his assailant. The latter concluded by the following remark, spoken so openly and loud as to be heard at some distance—a remark which Mr. Cilley never affected to notice or to hear: "*But what's the use of bandying words with a man who won't hold himself personally accountable for his words?*

So terminates the second act. The high moral superiority of Cilley over his assailant on this occasion, was, as we have been assured by his friends who witnessed it, resplendently manifest—for which all readers may make whatever allowances on the ground of party sentiment they may think proper. The insolent manner—aggravated, as we are informed, by tone, and lookt—in which the one attempts to bully the other, and to make him quail before the fear of the consequences of braving him; the ferocity with which he seeks to force a duel from the other, insulting him grossly on grounds so frivolous, and then complaining that that other does not take him upon the ground so significantly offered; or else the "chivalry" with which he attempts to place in such a position a New Englander, of remarkably mild and amiable character, upon whom it might be presumed that the bravado might be hazarded with impunity,—and, on the other hand, the honorable, forbearing and mild, but firm and courageous, dignity with which the attempt is met, and put down by the natural force of that moral power which every brave man possesses—must be apparent to every mind, on the face of the proceedings.

The third act presents the negotiations that led to that mournful fourth, which we shudder to approach. Webb—to whose name no other designation can be added which would strengthen the idea contained in its own notorious monosyllable—comes to Washington, this time destined to act a part in a tragedy where he had already so often exhibited himself as the hero of a farce. He comes to ask 'satisfaction' for an imputation against the honesty of his sudden conversion from an enemy into a strenuous partisan of the Bank of the United States, in 1831—an imputation which has been thousands of times made, on innumerable occasions in Congress, and to which the only legitimate exception to be taken is on the score of good taste, as being at this time too trite and obsolete a truism. Mr. Cilley had, however, referred to it only in the direct path of his argument; he had said that he knew nothing of this editor, and had spoken in a qualified and guarded manner of the transaction, that "*it was*

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* These words are added here from a report in another paper. The scene is taken from the National Intelligencer, imperfect as it is, as a paper friendly to Mr. Wise.

† The circumstance of Mr. Wise making a marked distinction of emphasis in correcting himself from the common form of expression, "the *gentleman* from Maine," to, "the *member* from Maine," which he did on this occasion significantly, will alone suffice to show the spirit which characterized this altercation on his part, and to prove that there is no misconstruction in the information from which we describe the scene.

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said he had received, &c."* For this Webb comes boldly to demand "the explanation rendered necessary by the character of your remarks," from a man to be presumed, from his manners, birth place, and the entire absence of any "fire-eating" spirit evinced in his altercation with Mr. Wise on this same occasion, not to be "a fighting man."

It will be remembered that on Webb's last visit to Washington, to address a similar demand to Mr. Gholson, during the Extra Session (when the latter gentleman, though he refused to notice a demand for explanation from that source, yet expressed himself, on the former's affecting to misconstrue his motive, willing to waive his congressional privilege) the demand was *not* sent through the agency of a friend. On this occasion, however, when there was a moral certainty that his demand would not be deemed entitled to notice,—when it was doubtless believed (from the disposition evinced by Mr. Cilley in his recent affair with Mr. Wise, misunderstood by those who could not appreciate it,) that he would not venture to 'cross the line' at all, a second does intervene. Can the dark inference be doubted, especially in connection with the subsequent history, that it is for the purpose—at least with the intention—of forcing the noble-hearted Cilley into a position from which no other egress for escape should be left him than one of ignominy, which would blight his present standing in the House utterly and forever, and destroy him in his own district, where he stood in the delicate and critical position of being elected on the strength of personal popularity by a majority even of political opponents, the democratic party being, as is well known, by no means in the ascendency in that district.

Mr. Cilley refuses to notice in any way Webb's call upon him for an explanation. From Mr. Graves' first note it is apparent, that Mr. Cilley, from his natural good temper and urbanity, had *not* in terms disparaged the 'character' of Webb, simply declining to notice his demand in any way, whether for good or ill, and bringing in the idea of his parliamentary privilege, though not (as it appears both from the demand for a written statement and from his own reply) placing his refusal on that ground.

House of Representatives,
February 21, 1838.

In the interview which I had with you this morning, when you declined receiving from me the note of Col. J. W. Webb, asking whether you were correctly reported in the Globe in what you are there represented to have said of him in this House upon the 12th instant, you will please say whether you did not remark, in substance, that in declining to receive the note, you hoped I would not consider it in any respect disrespectful to me, and that the ground on which you rested your declining to receive the note was distinctly this: That you could not consent to get yourself into personal difficulties, with conductors of public journals, for what you might think proper to say in debate upon this floor in discharge of your duties as a Representative of the People; and that you did not rest your objection, in our interview, upon any personal objections to Col. Webb as a gentleman.

Very respectfully, your obedient servant,
Wm. J. Graves.

Hon. Jonathan Cilley.

House of Representatives,
February 21, 1838.

The note which you just placed in my hands has been received. In reply, I have to state that in your interview with me this morning, when you proposed to deliver a communi-

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* If any justification for Mr. Cilley's remark, in addition to that of notoriety, be deemed necessary by any, the reader, of whatever party, need only refer to Mr. Clayton's Report from the majority of the Investigating Committee on the affairs of the Bank of the United States, dated April 30, 1832, 22d Congress, 1st Session, Report No. 460, H. R.—at pages 8, 9, and 10.

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cation from Col. Webb, of the New York Courier and Enquirer, I declined to receive it, because I chose to be drawn into no controversy with him. I neither affirmed nor denied anything in regard to his character; but when you remarked that this course on my part might place you in an unpleasant situation, I stated to you, and now repeat, that I intended by the refusal no disrespect to you.

Very respectfully, your obedient servant,

JONA. CILLEY.

Hon. W. J. GRAVES.

This first note of Mr. Graves is rather peremptory, and certainly very little respectful, addressing him without any initiatory title of "Sir:" and cavalierly bringing the subject of his note before him by the expression "you will please," &c. Mr. Cilley's reply, however, repeats, notwithstanding, the expressions of personal respect and good feeling towards Mr. Graves which he had freely volunteered in their oral conversation, and declines the expression in terms of any opinion of Webb, simply declining to recognize his right to demand the required explanation of him. What could be more forbearing, peaceful, mild, and truly brave, than this course. There are two grounds on which he may refuse to notice the demand, the *one* the character of Webb, the *other* his own parliamentary privilege. Whatever might be his private opinion of Webb, he abstains from expressing it, evidently from his disposition to peace, and good feeling towards Mr. Graves. Upon his motive he is *silent*, and the friends of all may put their own respective constructions upon it, the most favorable latitude which could be asked being left them for that purpose. He even introduces collaterally a reference to his privilege, and does not hesitate to express, and to repeat, even when rather peremptorily addressed, his personal respect for Mr. Graves. Could he do more? Would any other than a man of the truest and thrice-refined purity of moral bravery have done so much?

On this, the insulting, extraordinary and purely gratuitous demand, to acknowledge Webb to be "a gentleman and a man of honor," is addressed to him—whether as an act of unmanly bullying, from a misconstruction of this calm majestic quiet of the lion, or from a deliberate determination to force him to the *ultima ratio* of blood, we may not undertake to pronounce positively. Viewed in connection with presumed characters, and with the sequel, the natural inference would assign, in charity, the former motive to the miserable writer, and, in justice, the latter to his wicked advisers.

HOUSE OF REPRESENTATIVES,
February 22, 1838.

SIR: Your note of yesterday in reply to mine of that date is inexplicit, unsatisfactory, and insufficient; among other things in this: that, in your declining to receive Col Webb's communication, it does not *disclaim* any exception to him personally as a gentleman.—I have, therefore, to inquire *whether you declined to receive his communication, on the ground of any personal exception to him as a gentleman or man of honor?* A categorical answer is expected.

Very respectfully,

WM. J. GRAVES.

Hon. J. CILLEY.

Of Mr. Cilley's answer, the dearest friend, in the moment of the bitterest anguish for the eventual result of the affair, could not wish that a single word had been changed:

HOUSE OF REPRESENTATIVES,
February 22, 1838.

SIR: Your note of this date has just been placed in my hands. I regret that mine of yesterday was not satisfactory to you, but I cannot admit the right on your part to propound the question to which you ask a categorical answer, and therefore decline any further response to it.

Very respectfully,

JONA. CILLEY.

Hon. W. J. GRAVES.

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The challenge and the acceptance then immediately follow—Mr. Wise, *already at enmity with Cilley, and having already made an almost openly avowed attempt to force him to a duel*, being the challenging second.

Here, then, occur two questions, the obligation on the one part to send, and on the other to accept, the challenge.

1. Considering the subject in no other or higher light than by the principles of the 'Code of Honor,' it is as clear as sunlight at noonday, that no such obligation, in the slightest degree, existed on the part of the former. On this point we have found all parties and all opinions agreed. Had Mr. Cilley emphatically declared Webb vile and infamous, even without disclaiming at the same time any disrespect to the second, the latter would even then have had no right. The only right he could have had, on duelling principles, would have been to call his own principal to account for deceiving him as to his character, a right on which many duels have been fought. But if the second still continues to regard his own principal as, in truth, a gentleman, he then violates his most essential right in taking his quarrel out of his hands, which carries the implication that the other dares not or cannot manage it himself. We know of cases in which the latter has been forbidden to entertain such an idea under penalty of challenge from the former. Every gentleman is presumed competent to the vindication of his own honor, and has never any difficulty in forcing his adversary to yield him the satisfaction he desires, or to inflict an equivalent punishment, if his desire be real and earnest. Such an attempt on the part of the second is, in point of fact, an insult upon his own principal. No principal, with the proper self-respect of a gentleman, would permit his second under any circumstances thus to substitute himself in his stead, for the vicarious vindication of his honor. His remonstrance, putting it on this plain and strong ground, (and it is admitted that the affair was known to him on the preceding evening,) would, from necessity and the nature of the case, be imperative upon his second. No second, but one animated by the most gratuitously hostile feelings—whether of his own or of an extraneous and superior influence—would dream of thus substituting himself. But even this plain view of the case assumes that a challenge had been sent and refused, which could alone establish new relations between the parties,—*which was not the case.* A note calling for explanations had alone passed. They were refused, but it did not of necessity follow that a challenge would be refused. What Cilley would have done in that event can now never be known. Nor had there been any words of insult to Webb. The reception of the note demanding explanation from him was declined without any reason assigned, and accompanied with free expressions of respect and good feeling to Mr. Graves. Fifty reasons might be imagined, and no man is under any obligation to give the bearer of the note any reason. Mr. Graves had a right to place it to the account of privilege, without demanding a gratuitous disclaimer of any other, if he so chose, and if he was not determined to force a fight, *nolens volens*—but it appears absurd to dwell upon an absurdity so self-evident, as that of this challenge. How much stronger the case when the antagonist pursues the conciliatory and mild course described above!—How damning the evidence of fell ferocity of purpose, satisfied with a pretext flimsy even to the point of self-contradiction, in the counsels from which could have proceeded a challenge under such circumstances!

2. The second question, as to Mr. Cilley's obligation to accept the challenge, though unimportant in the settlement of accounts between the surviving parties and the public, is, yet, material for the vindication of his own memory. He was strongly opposed to duelling, and his previous conduct from the commencement of this affair, as also in his former altercation with Mr. Wise, signally manifested his reluctance to suffer himself to be forced into an affair of that nature. But he understood and was solemnly impressed with his peculiar position. He felt himself a scion of a stock whose very name, where known, is synonymous with high-minded bravery; and it would have been too bitter a sacrifice of all natural feeling to an abstract principle of morality, for him to permit the name of Cilley to be coupled in the mouths of men—even of those less worthy classes of society from whom alone it was to be

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apprehended—with that of coward. He felt, moreover, the honor and the pride of New England at stake, whose sons have so often been the objects of an insolent bullying in Congress from the quarters where a different tone of sentiment and moral principle prevails on this subject. He could not let the name of his grandfather be dishonored, nor his native New England be trampled upon. But even these were not the main grounds on which he justified to his own upright mind his acceptance of this fatal challenge. Mr. Cilley was one of the most promising members of the House. Eloquent—ready—with a mind richly stored with treasures of knowledge and thought always at command—earnest—firm—calm in temper, while zealous and energetic—and above all possessed of a moral force of influence which was already beginning to make itself sensibly felt in the House, and which had borne him signally triumphant through more than one trying occasion—he saw the duty solemnly incumbent upon him, to his principles, his party, his constituency, and his country, not to permit himself to be put down by this insolent attempt to thrust him to the wall—made apparently on the presumption that he was one to be bullied with impunity. He was conscious of the capability and the determination to make himself felt, in the cause of his principles, in that House, and in the great contest now raging before the country, and he could not allow himself to be degraded and paralyzed into obscurity and impotence, by quailing even before the imminent danger of death. He so understood the whole affair. He believed it to be a conspiracy to browbeat him into insignificance before the House and the country. He felt himself in a post of honorable danger; and the following are substantially the views of the matter which he expressed freely to his friends on the morning of the fatal rencounter. "I am driven to this meeting by a positive compulsion. I have done all that an honorable man can do to avert it. Why should I acknowledge that man to be a gentleman and man of honor? In truth and conscience I could not do so, and still less can I have it so unreasonably extorted from me by force and threat. I have no ill will nor disrespect towards Mr. Graves. He knows it, and I have repeatedly and fully expressed it. I abhor the idea of taking his life, and will do nothing not forced upon me in self-defence. The pretext of the challenge is absurd. I understand the conspiracy to destroy me as a public man. But 'NEW ENGLAND MUST NOT BE TRAMPLED ON,' my name must not be disgraced, and I go to this field sustained by as high a motive of patriotism as ever led my grandfather or my brother to battle, as an unhappy duty not to be shrunk from, to my honor, my principles and my country."

Such were the sentiments which the noble and gallant fellow carried with him to that fatal ground.

The arrangements for the duel we pass over. Mr. Cilley, as the challenged party, chose the rifle—a weapon of course acceptable to a Kentuckian—being entirely unacquainted with the pistol, or any other weapon, and possessing no remarkable skill at the former. He had scarcely had one in his hand for about eight years previously to Thursday evening, when, although not yet challenged, it had become apparent that it was designed to force him to a fight. We are thus brought to the fourth act of the drama, the field of blood.

The two stand face to face, the slayer and his destined victim. Thus far the last degree of guilt, in the execution of the deliberate purpose of malignity, has not been incurred. Charity may yet attempt a palliation of the crime thus far incurred, in a merciful construction of motive. The challenger is there on a mistaken view of the point of honor,—it surely is but a form,—an interchange of a shot, which his human heart will not let him aim at the life of him who has, so nobly and so generously, gone so far in expressions of personal respect and good feeling,—it cannot be true, as reported by a devoted friend of his own and of Webb,* that he has come to this

* The "Spy in Washington," to Gen. Green, of Washington, on the afternoon of Saturday, before the parties had yet returned from the field, when all was suspense and anxiety throughout the City as to the issue of the combat, to which it was generally known during the course of the morning that they had gone out.

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ground with the determined resolution, as expressed in his own room before starting, that it shall not be left without the spilling of blood!—or perhaps it is still believed that his courage will fail, and the submission demanded before, degrading as it would be, will yet be extorted from the present fear of death,—but in neither case does there exist on the challenging side, any malignant spirit, immitigable in its thirst for blood, which will persist in the fell purpose to a fatal result, in spite of every effort, within the limits of honor and manliness, to appease it—such a spirit does not, cannot, exist on that ground! Alas for human nature, it is there—in relentless, remorseless ferocity! All restraints prove powerless, and that dark demon of revengeful and implacable hate rules the hour surrendered to it by the will of an inscrutable Providence! Two shots are interchanged, and after each a parley ensues. With great profession of desire to terminate it, Mr. Wise throughout insists that Mr. Cilley shall acknowledge Webb to be a gentleman and a man of honor. This is the substance of the demand from which nothing can induce the stern, bitter fierceness of his resolution to swerve. He *shall* give a reason for declining to receive Webb's communication, *exclusive* of the idea of his being unworthy of notice—or blood *shall* flow! It is not enough that he has said nothing to the disparagement of Webb, that he has remained and remains silent as to his motive, leaving free latitude for the constructions friends may respectively prefer,—it is not enough, that he is free in expressions of the highest respect and best feelings towards Graves,—it is not enough, that two shots have been interchanged on this flimsy punctilio of honor, in the language of one of the gentlemen on the field in his remonstrance, "based upon an abstraction and assumed upon an implication,"—it is not enough, that all opinions on the ground, the second, the surgeon, and consulting friends of the challenged party, the surgeon and one at least of the friends of the challenging side (Mr. Crittenden), are unanimous in opinion that all has been done that the most fastidious honor could require, and that there exists no right to demand more, emphatic protests being urged against the further continuance of the affair,—it is not enough, that he is invoked and appealed to by the friends of Cilley to withdraw his principal from the ground, now that two shots have been interchanged, with the earnest declaration that they will in that case every where bear witness to their honor, bravery, and magnanimity,—it is not enough, *that he has put a distinct proposition, in terms, as if a decisive ultimatum, from an anxiety to put an end to the combat, that acknowledgment shall be made that no disrespect was meant to Mr. Graves,* DIRECTLY *or* INDIRECTLY, *and that it was, in terms, answered* AFFIRMATIVELY—nothing, nothing will suffice, but a degrading and humble acknowledgment, contrary to the conscience and truth of the party, and to the notorious opinion of at least a large majority of society, and entirely extraneous to the relation between the parties on the field—an acknowledgment which nothing but a trembling cowardice widely unlike the brave bearing of poor Cilley could yield under such circumstances—an acknowledgment which he knew, and could not possibly but have known, could not and would not be conceded—no, nothing will suffice but this abject and impossible submission,—*or blood!*

The spirit of malignant evil that ruled the ascendant of that dark hour, triumphed, and the kind-hearted, the generous, the peaceful, the manly, the noble, the true, the brave, lay weltering in his own life-blood.

Thus was cut short the career of Cilley, 'done to death by felon blow,' in the first flush of a promise of usefulness and glory, to which the eyes of men were just turning with a hope, a respect and admiration, claimed by but few young men at the outset of public life. He leaves a wife and three infant children, and a circle of warm friends co-extensive with the acquaintance of his life, by whom he will long be mourned, with a depth and poignancy of grief which best attest the nobility and loveliness of his character.

Of the surviving principal in this affair, we forbear to speak. He appears in it but as a criminal of an inferior order of intellect and malignity. Such are the instruments with which the demons of mischief, which are permitted to roam abroad among men for purposes of omnipotent wisdom which we cannot fathom, often perpetrate

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their most dreadful results. Bad and weak, though not themselves demoniac, they handle lightly and rashly matters of life and death—mastered and bewildered as by a spell—with but a confused consciousness of the fearful path on which they are moving, they know not, and care but little, whither and why—as

Fools rush in where angels fear to tread.

If he *would* force poor Cilley to the field—if a better nature did not assert its dominion over his heart when he stood there before him, in all his manly bearing, as conciliatory as brave, with words of kindness on his lips even to the foe who had goaded him so ruthlessly into this position, and even when that foe, who should have rushed to his arms or fallen at his knees, had twice aimed at his life—if he *would* place himself a mechanical automaton in the hands of another, in the false idea that, while he rested on the superior force of character which swayed his own feebler nature, he laid upon his head, too, all the responsibility of the consequences—if he *would* go on firing, instead of declaring himself satisfied—and if he *would*, under these circumstances, point his weapon to a deadly aim—may God forgive him, for most assuredly man can never!

But for the true principal in this dreadful drama—who performed the part described above—who had himself a personal animosity against the man towards whom he accepted the relation of challenging second, a relation at variance with all the principles of the code of honor—who had, on a recent occasion, manifested his bitter feeling by an attempt the most gratuitous to thrust a quarrel upon him—who at the very moment when, on duelling principles, he ought himself to have been standing in the place of Graves,* yet forced the affair on, implacable and remorseless, deaf to all remonstrances, to its bloody termination—of that wretched man, the cold-hearted method of whose evil passions will not permit charity to ascribe to his conduct the excuse of madness, what shall be said? The flesh of men may creep with disgust, and the blood may curdle with horror, as they come into contact with the wilful and deliberate assassin who lays low the noble object of his hatred and revenge by a dastardly blow through another hand, but language has no power to embody the expression of the emotions excited in every upright mind by the contemplation of such heartless, deadly meanness of malignity. He may be beyond the reach of other human punishment than that social excommunication of opinion alone commensurate with his crime,—but that doom he cannot escape by any attempt to deceive and impose upon Public Opinion and Public Justice; and the dearest friend of the murdered martyr—martyr to his honor and his public duty, and the intense personal and political hatred of a remorseless foe—could desire to inflict no other vengeance, than to let him go abroad among men, bearing with him every where, into every scene and every society, the hell of his own heart, and the consciousness that, whether concealed or expressed, he is looked upon by all whom circumstances may, perhaps, compel to mingle with him in some kind of intercourse, with all the emotions with which human nature instinctively shudders and shrinks from the contemplation of such darkly crimsoned infamy of human guilt.

Of the other parties to this fearful scene we abstain from speaking. All are exhibited by the additional statement of the friends of Mr. Cilley, prepared for publication, but suspended in consequence of the appointment of the Committee of Investigation by the House of Representatives, as having strongly urged the cessation of the affair, all possible right or reason for its continuance being at an end, before its fatal result, with but one single exception, in the person of the Hon. Mr. Menifee, of

* Mr. Wise had insisted, in his altercation with Cilley, quoted above, that the latter meant deliberately to insult him; viewed in connection with his closing remark on that occasion, it is apparent that, when Cilley now manifested that he would fight, the former ought to have required the settlement of his own pending quarrel, either by challenging him, or apologizing honorably to him for his misconstruction. As a professed duellist, standing in his actual relation to Mr. Cilley, to undertake the relation of second in another man's quarrel admits of no palliation,—what, then, shall be said of his mode of executing its functions!

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Kentucky. As for the second of Cilley, we will not add a fresh pang to the feelings with which he must now remember the legitimate opportunities lost, at which he might have insisted upon the termination of the affair, by walking his principal off the ground—even if on no other occasion, at least when the opposite second had made a distinct proposition which was distinctly acceded to. For permitting himself to be thus trifled with, as for being caused to put his name to a statement varying so widely, in the general views of the conduct of the affair expressed at its close, from the testimony of the other friends of Cilley on the ground, and from his own sentiments previously to entering upon the long private conferences with the adverse second which resulted in the production of that statement—we leave him to settle his account with Public Opinion, as he best may, on the score of that self-possession and clearness of thought and firmness of purpose, which constitute the first requisites for the delicate position which he occupied.*

We have thus spread before the public the four acts of this tragedy of crime and blood. A fifth yet remains to be performed, which is to be, the execution of the doom of the guilty. And this is already commencing. Mighty and swelling, even as it were mountain-high, the waves of Public Opinion are already rolling in upon the devoted heads which are soon to be overwhelmed with such a mass and weight of public opprobrium and disgust, neither to be aggravated by party hostility, nor lightened by party support, as not even the most remorseless recklessness of evil passions can bear up against. In the accomplishment of this dreadful doom—the spontaneous testimony by which all the better part of human nature bears witness to the heavens against the crime of MURDER—remains yet to be seen the completion of the fifth act of this awful drama.

In noticing the details of this dreadful occurrence so far, we have had occasion to say but little of the wretched creature whose name has been connected, like a thread of destiny, with it throughout; because, in this spectacle of mighty passions and tremendous results, the paltriness of a vanity successfully notorious on so many mean occasions, was utterly lost sight of by every party, and though dragged into the very noon of the transaction, does not maintain itself there by any intrinsic weight or necessary connection, but solely appears as the base instrument, with which more daring criminals—despising as they used it—effected their unholy purpose. But the foul spirit—compounded of the monster and the reptile, and strutting at the commencement of the scene like farce attired in the robes of tragedy,—is, it would seem by the same necessity, thrust also in at the close, and passes before our vision, in guise and gesture yet more unnatural and unseemly. Still lapping in imagination its mimic draught of blood, the ghoule surfeits its monstrous appetite at the tomb, and dances in shadowy carnival round the awful presence of the unresisting dead. And such are the impressions which the letter brought before the public through the agency of Mr. King, and breathing into a moment's notoriety the posthumous intentions of Mr. Webb, and his masked associates, cannot but create. Between the first collision and confront of the higher spirits of the scene, the intentions and the pretensions of the invoker fall at once into the fathomless depth of their own insignificance. But after all is over, and men are left appalled and sickened by solemn deeds and sad thoughts, they are again recollected by himself, and, for the last time, thrust before the public by the agency of a friend. The letter, first published in the New York American, with the special introduction of its editor, in "justice to Mr. Webb," may be looked for in the journals of the day. It has no connection with the story—it shall have no place here.

Truly, indeed, the times were too dark and wretched for such a bloody jest; and

* We deem it incumbent on us, in justice to Mr. Jones, the second of Mr. Cilley, to state that this paragraph expresses only our own opinion; and that the friends of the deceased, generally, appear to consider that his conduct on the field was unexceptionable; it being *impossible*, on the principles of the duelling law—however strong the anxiety to terminate it, which he expressed, and proved by his concessions—to withdraw his principal from the ground, so long as the adverse party continued to renew the challenge.

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truly, indeed, was it but a clumsy invention, to restore the lost standing of James Watson Webb to the position he would be thought to occupy in the front ranks of honor, by exploding on the dull ear of the public such a foul mine of retroactive atrocity, as might mystify and conceal the movement in the blinding and stunning magnitude of its enormities. But the contrivance fails of every effect but to disgust the mind with the odour of its noisome monstrosities. Else why for nearly two full days, from Thursday to Saturday, is the honor that required details of such murderous ferocity for its ex post facto vindication, allowed to hang trembling in suspense and abeyance? Else why, after the challenge and acceptance had passed with the knowledge of Webb, did he not go directly to the "chivalric friend" whose vicarious courage must, of necessity, place him in a position so ruinous and degrading, and prevent him, by the imperative force it was his duty to use, from going over his prostrate reputation to that field of honor which *he* was not deemed worthy to approach? Else why was he made to believe, as he tells his friend, and through him the world, that the duel is to be postponed for several days contrary to all precedent and usage—and defers till ten o'clock on Saturday, so brief an interval before the appointment, the commencement of the brutal plot, of which no words can express the full wickedness. Profound extremity of character, that prefers the alternative of floating on the buoyant infamy of such confessions, to the necessity of sinking into that annihilation of contempt, which, whatever may be the doom of others, must remain at least his portion of punishment! His imagination may therefore run riot, as it violates at random the apartment of the dead, and pistols and shattered arms may be boasted of with impunity,—even the *ultima ratio* of the gentleman, the sacred field of honor, may be invaded, and the gallant and the manly, with his noble head low in the grave, be shot down again, in this horrid bulletin of unacted enormity—for any good to his character which it will accomplish—and which, with all its eager prodigality of crime, we now dismiss, in the full candor of sincere contempt, with the single remark, that were he to have *thus* fallen at all events, it is a thousand times better that the high-hearted Cilley fell when, where, and as he did.

We abstain from giving a biographical sketch of Cilley for which we possess some interesting materials, in the intention of making him the subject of an early number of our Political Portrait Gallery, with a portrait recently taken. One trait of his character we cannot forbear to quote, before concluding, from a brief sketch of him by one who had been a bosom friend and constant familiar companion through an acquaintance of sixteen or seventeen years: "He was the kindliest and gentlest of human beings, with a constant and happy flow of animal spirits, and the innocence of a child, while at the same time as independent, courageous and firm in his purposes, as he was clear in his judgments and upright in his every thought. I have been with him at all times, under all circumstances, in all shades of mood, but though earnest in his opinions, zealous in every pursuit, and of sensitive and excitable temperament, I can conscientiously say, that I never in my life have seen him angry, nor a single shade of bad feeling of any kind ever cross the sunny brightness and purity of his mind."

In the preceding article we have kept out of view the principles of any other code of law or morals than that habitually, though with a miserable fallacy, designated as the "code of honor." The peculiar atrocity of the murder which it has been our most painful duty to narrate and comment upon, is derived from the fact that it was not less an outrage upon the principles of all honorable laws of duelling, than upon that higher code of religious and moral law, which looks with horror upon the practice under all and any circumstances. We conclude by subjoining the following opinion upon the subject by an authority whose name must carry with it a far higher weight than would attach to any expression of our own opinions. It is admirably comprehensive, plain and nervous, and is the production of one of the bravest men of our country—well approved such in the history of western border warfare,—then Chief Justice of the Supreme Court of Tennessee, now on the bench of the Supreme Court

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of the United States—Judge CATRON. A member of the bar had been stricken from the roll of Attorneys of the Circuit Court of Maury county, for the offence of accepting a challenge, which resulted in the death of his opponent; from which judgment he appealed to the Supreme Court. The following is an extract from the opinion in which the action of the Court below was sustained; the striking applicability of many of its passages to the facts of the present case, will not fail to impress every reader, with the force of almost prophetic coincidence:—

"It is true, as a part of the history of our species, that many men of strong minds have equally strong passions, which are ill-controlled, and subject such men to grosser errors than others with fewer mental advantages; these are the men of worth that fight duels, having no guide but blind and reckless passion when aroused, regardless of their own lives or those of others; hence their conduct furnishes the worst possible evidence upon which to ground a rule for the government of society. This class of duellists are not less wicked than others we will name, but their standing renders it more difficult to punish them.

Another set of men fight duels, (or more generally make a show towards it,) to gratify their vanity, by drawing upon themselves a little temporary notice, which their personal worth or good conduct cannot procure. These are always worthless coxcombs, equally destitute of bravery, virtue, or sense, whose feeble nerves would be shattered and prostrated at the sight of an enemy in the field of battle, who are ridiculous in every situation where courage or conduct is required. This class of duellists do little harm other than to disturb the community; they quarrel to make peace; or if officious intermeddlers force them into a fight, are too much alarmed to hit, or perhaps see their antagonist. The affair is laughed at as a farce, and the parties turned over to the constable.

Many of this description challenge, because they know the party challenged will not fight; having a due regard for religion, the laws of his country, and his family. The infamy or worthlessness of the challenger generally is such as to disgrace any decent man to notice him. These pretenders to bravery and gentlemanship, are always absolute cowards; for no man will challenge another, knowing he either will not, or dare not fight, unless he be cowardly. The officers of our army at present dare not fight; therefore it is a disgrace for one officer to challenge another. The most distinguished man in the service lately refused to accept or reply to a challenge, from an officer of equal rank, because he feared his God, and the laws of his country; he has met his due reward, by having accorded to him the unlimited approbation of his countrymen.

Let it be once understood that the Bar of Tennessee *dare* not fight, and it will be deemed cowardly to challenge a member of it; and this court solemnly warns every lawyer, that if he violates the laws made to suppress duelling, we will strike him from the rolls of the court, upon the fact being made known to us. The truth is, such men are too often insolent and impudent bullies, who tyrannize over and impose upon all orderly men about them; who literally dragoon society, by fear of personal violence, into silence and seeming acquiescence, with respect to their conduct. That such a counsellor is a disgrace, and serious incumbrance to any court where he is permitted to practice, all will admit; those who engage in duels, the statutes deem, and we will treat, as of this description.

Another class accept challenges and even challenge and fight, for the very reason that they want true courage; they have not moral and independent firmness enough to disregard the giddy assertions of that idle part of the community who say a man is a coward because he refuses to fight; not that such people have either belief or disbelief of what they say; they are too light-minded to form any settled conclusion, and repeat idly as the parrot, what some revengeful neighbor has before said, who gratifies his malice by mixing gall in the cup of another. The pride, weak nerves, and morbid sensibility of such a man, forces him to the pistol's mouth of a ruthless and unprincipled antagonist, as feeble, trembling, and unresisting as the lamb to the shambles, and with almost an equal certainty of destruction, because he still more fears the detraction of the malicious and the gossip of the giddy. The same principle of human action often induces the delicate and sensitive female, with fear and trembling, to assent to see herself made a widow, and her helpless infants orphans, by the butchery of her husband in a duel. Any man who takes the life of another, under such circumstances, (forced upon him by wicked design,) can be truly said to "have a heart regardless of all social order, and fatally bent upon mischief;" and he should suffer death for the crime, because he has bullied his antagonist into resistance, and then murdered him.

Nervous and timid men of the foregoing description, if they come off unslain, fail to obtain their objects; society will not believe them brave. There is an instinct in

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our nature that mocks every art upon this subject; it tells us whether a man is, or is not, fearless: upon all, from the tottering infant to the savage bully, the same impression forces itself. The fearless man walks through life without assault, and without reproach on his bravery, from those worthy his notice, although he may continually have refused to fight duels. No man ever persuaded the world he was fearless, unless the fact was so. Should it be a reproach, that a weak and nervous man has not the courage of a lion? It is a reflection upon God and nature to require it.

It is said single combat is often the only redress that can be had for a personal injury; we apprehend those who hazard the assertion not very deeply read in the moral code, and much better acquainted with their own passions than the human heart; they tell us wicked vengeance and murderous crime, is *redress?* This is not the precept our Saviour taught, our religion inculcates, and our laws enjoin; malice, vengeance, and crime, have no place but in the catalogue of iniquity. If one respectable man says a harsh and injurious thing of another, it is almost uniformly in some moment of high excitement, in the bar or elsewhere;—the result of instant and angry passion, of which the offending party in a few hours, when he becomes cool, is heartily ashamed; most willingly would he make reparation had he an opportunity; but he cannot and will not be bullied into it, by threats of punishment. Let the offended party wait until the excitement has passed off, and he will generally find half the sin resting upon himself: were the writer to judge from his own experience, this would be a small allowance. He should then go to the offender, in a firm, serious, and just temper, and inquire of him the reason for the injury; he will then hear his own fault for half the excuse, the angry and excited passions of his neighbor for the other half; here the matter will end, almost as assuredly as that God is just. I ask every gray-headed man in American society, did this course ever fail you, with a man worthy of your notice?

But this requires more moral courage, and fearless firmness, than most men are masters of; they prop their doubtful courage and trembling nerves, by applying to some supposed friend, who often turns out to be one of those malicious whisperers, and agitators of duels, whose revengeful heart glories in seeing his species murder each other in cold blood; generally in addition having some secret revenge to gratify against the offender, for which reason he is but too often applied to. Here the cunning machinations of malice have fair room for action; a duel is of course advised as the only redress honor can allow of; every means is used to bring it on; every sinister trick and argument is employed to keep the principal firm to the desperate purpose who surrenders his judgment and his life into the hands of wickedness to be destroyed. Such agitators have cold and cruel hearts, dead to every moral sense or feeling of humanity; generally afraid to encounter danger themselves in the field of battle, or even in a ridiculous duel, wherein certainly ten cowards engage to one brave man. Who ever heard of a brave and fearless man exciting and urging on another to a duel, to the destruction of himself, his poor unoffending wife, and helpless infants, without using all means possible to adjust it? No one. It is the working of cruelty, insidious cunning, and malice, under the seemly garb of friendship, that does this. Not such as these, but men of great moral worth, fearlessness and independence, should be applied to for advice and aid, who will generally settle the matter with a few words of advice to the parties—perhaps laugh at the trifle that set the passions in commotion; have some silly mistake explained, and end the matter. The brave man is always generous, feeling, and just, and others submit to his judgment with pleasure.

Such are duelling and its consequences, and such generally, the characters of the men who engage in the practice, which if it does not involve wickedness and criminalty, crime deserves no name and morality no place in the human heart—they do not exist if this be not a crime.

To restrain the blind and criminal passions that drive to ruin the fearless and valuable man; to restrain the wicked vanity of the noisy coxcomb; and to protect from his misguided fears of giddy and idle ridicule, the physically weak and nervous man, have mankind generally, and Tennessee in particular, legislated to punish duelling.

Taking the petition for true, and how does the case of the defendant stand? By the laws of God, the laws of England from the days of the Edwards, by the laws of Kentucky and Tennessee, and every civilized land, he is declared to have been guilty of wicked and malicious murder, and a felon fled from justice. Is it possible that any well balanced mind can for a moment believe that a man whom the law thus condemns, is a fit person to be an aider and adviser in the sanctuaries of justice!

We are told this is only a kind of *honorable* homicide! The law knows it as a wicked and wilful murder, and it is our duty to treat it as such—we are placed here firmly and fearlessly to execute the laws of the land—not visionary codes of honor framed to subserve the purposes of destruction."—*Yerger's Rep. Vol. I.* 233.

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Postscript.

THE FIRST VOLUME OF THE DEMOCRATIC REVIEW.

The publication of the present number of the United States Magazine and Democratic Review, which completes that grand climacteric of a young periodical, its first volume, affords an occasion proper for us to address a few words to both friends and foes. This project has been commenced under difficulties, commercial and political, of such extent and magnitude as made its best friends apprehensive, with reason, of its success, and renders it a matter of anxiety with many in all parts of the country to know our experience as to the probable result.

To such we have then, in the first place, to make the satisfactory assurance, that the progress of the work so far, has been steady and encouraging. Notwithstanding the aggravated disadvantages of the times, pecuniary and political, and the distrust with which new undertakings are invariably regarded;—and despite the very imperfect organization, which the publishers have, as yet, been able to give to the business arrangements essential to such a work, the list of subscribers has received an accession,—for the most part entirely voluntary,—of above three thousand names since the first number was issued, and is daily increasing. Several large editions of the early numbers have been reprinted, and there has been, wherever it is known, such a feeling awakened in favor of the work, as leaves not the slightest doubt of its ultimate success, and of its fully subserving the purpose for which it was established.

When the prospectus of the Democratic Review was first announced, the novelty, boldness, and great extent of the project, alarmed many of its sincerest well wishers with fears that in our hopes to accomplish so much we should risk the attainment of that which was reasonably within our reach. The object, however, which we sought for in establishing this work, we felt could not be attained so well by any other course than that which we have taken. The great Democratic cause, which has grown with the growth and strengthened with the strength of our government, and of which the vital principle is *movement*, perpetually adapting itself, by its free and fearless faith in the knowledge and capacity of the people for self government, to the political wants which the progress of society, and the diffusion of knowledge create in an intelligent people, has never yet been represented in our literature, which the taste of the times and the necessities of readers, has rendered essentially, and almost exclusively, periodical. Our first and main hope has been to supply this want, to furnish a medium among our periodicals able to explain, and fearless to defend, the principles of our creed.

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In conjunction with this it has been, and will be, not less our aim, to render the miscellaneous literature necessary to the plan, such as every man of correct taste may deem worthy of such a work.

In our execution, in part, of this design, we have to acknowledge that by many of our political foes, we have been very fairly and even handsomely treated. On the great principle, that errors of opinion should be combatted by reason alone, and that all discussion tends to the promotion of truth, not a few have been sufficiently liberal as to wish us complete success in establishing such a work, and have had the magnanimity to discriminate between our doctrines and our literature, and to praise the one with the same candour that they opposed the other. Many, on the contrary, and in quarters where better might have been expected, have not hesitated to denounce us in advance; and, sparing the milder epithets of "Loco-Foco" and Jack Cade, have asserted we have promulgated doctrines, already, fit only for execration, and tending directly to the deeds of Marat, Robespierre, and Danton. Such critics can see no merit in the poetry of Bryant, or the prose of Hawthorne; and the principles advocated in this work, fortunately, are so accustomed to misrepresentation and abuse, that our friends are not likely to be frightened, by their agency, from maintaining them.

It is amusing that in this general denunciation, even the mechanical matters, of type, paper, engraving, &c., which it was made an especial object to render unimpeachable, by comparison with our compeers, have more than once been assailed with equal severity, and some who might have deemed it inexpedient to denounce our doctrines, have been unmeasured in their condemnation of the printers, engravers, binders, and paper makers, who aided and abetted them. Fortunately, in one case, as in the other, those disposed to inquire can judge for themselves; and we are not unwilling, by thus placing such accusations in juxtaposition with the accused, to afford all the fairest opportunity of judging. For our own parts, even were this species of opposition to succeed in annihilating the work, in the words of Burke, we will call to mind such accusations, and be comforted.

From friends we have generally received a degree of favor far beyond any deserts which our work, as yet, has been able to exhibit, and though some portions of the Democratic press, while they have praised us, generally, with a kindness far too partial, do not seem fully alive to the great purposes the success of such a work must effect, we perceive, with pleasure, that in every quarter where coöperation was valuable, it has been freely tendered, and zealously afforded.

At a more advanced period of our career we hope to have occasion to speak, with congratulation, of effects produced. It remains only for us, at present, to say, that prospects of good are as wide as the field in which we have to labour, and are only to be marred by the inefficiency or incompetency of the workmen.

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